ही बैन की जा चुकी है....(**व्यवधान**)

**श्री प्रमोद महाजन** (महाराष्ट्र): यह कहां से इम्पलीमेंशन है?....(**व्यवधान**)

**श्री मोहम्मद अफज़ल उर्फ मीम अफज़ल**: जिसकी दो फिल्में बैन की जा चुकी हैं और वह स्टूडियो ब्लैक लिस्टेड है फिल्म बनाने के लिए....(**व्यवधान**) वह स्टूडियो फिल्म बनाने के लिए ब्लैक लिस्टेड है और उसको सरकार बंगलादेशियों पर फिल्म बनाने का ठेका दे करके....(**व्यवधान**)

THE DEPUTY CHAIRMAN: I have to take Kashmir issue.

SHRI SUBRAMANIAN SWAMY: I have a point of order.

THE DEPUTY CHAIRMAN: There is no discussion... *(Interruptions)*

**श्री मोहम्मद अफज़ल उर्फ मीम अफज़ल**: क्या ऐसा कोई कांट्रेक्ट किया गया तो यह आई०एंड०बी० के मिनिस्टर आएं और आकर बयान दें?....(**व्यवधान**)

**श्री कैलाश नारायण सारंग** (मध्य प्रदेश): इस अखबार पर प्रतिबंध लगना चाहिए। यह मुसलमानों को भड़का रहा है। ...(**व्यवधान**).... यह अफज़ल मियां का अखबार है। यह मुसलमानों को भड़काता है। मैं इसे दिखाना चाहता हूं। यह मुसलमानों को भड़काने वाला अखबार है। ...(**व्यवधान**)

**उपसभापति**: प्लीज़, बैठ जाइये। ...(**व्यवधान**)

**श्री कैलाश नारायण सारंग**: यह मुसलमानों को भड़काने वाला अखबार है।...(**व्यवधान**)

THE DEPUTY CHAIRMAN: Please take your seat. Nothing is going on record...*(Interruptions)* on record ...*(Interruptions)* Now that matter is over. That matter is closed ...*(Interruptions)* I am not allowing it ...*(Interruptions)* Now, further discussion on the following Resolution ...*(Interruptions)* I said, now it is over ...*(Interruptions)* Please take your seat. I am not permitting it ...*(Interruptions)* It is not going on record ...*(Interruptions)* प्लीज़, बैठिए। बैठ जाइये, आप। ...(**व्यवधान**)

SHRI KAILASH NARAIN SARANG: •

THE DEPUTY CHAIRMAN: I am taking Kashmir ...*(Interruptions)* अगर आप ऐसा करेंगे,

I will take action against you. I warn you ...*(Interruptions)* Please take your seat ...*(Interruptions)* I am not allowing it ...*(Interruptions)* .... I am not permitting any further discussion on this subject. I am not permitting ...*(Interruptions)*... Now we are taking up the Kashmir Resolution and I will permit Mr. Satya Prakash Malaviya. If he wants to move his amendment, he can move it now. Order, that chapter is closed now.

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## STATUTORY RESOLUTION SEEKING APPROVAL OF CONTINUANCE OF PRESIDENT'S PROCLAMATION UNDER ARTICLE 356 OF THE CONSTITUTION, IN RELATION TO JAMMU AND KASHMIR *(Contd.)*

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): Madam, I move:

> "That in the said Resolution *for* the words 'six months', the words 'three months' be *substituted*."

*The question was proposed.*

THE DEPUTY CHAIRMAN: He has moved. Please sit down. Mr. Afzal, I am not permitting you. That is not the way to run this House. Please take your seat. We have moved to another subject ...*(Interruptions)*...

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): Madam Deputy Chairman, we have started a discussion on this subject ...*(Interruptions)* ...

[Shri Murlidhar Chandrakant Bhandare]

cannot interrupt him ...*(Interruptions)*. I have started discussion on Kashmir.

SHRIMATI KAMLA SINHA (Bihar): I am just requesting that the Information and Broadcasting Minister should come and ...*(Interruptions)* .....

THE DEPUTY CHAIRMAN: That is not the point ...*(Interruptions)*... I am not permitting anything on this. We have moved to another subject ...*(Interruptions)* ... We are not discussing this. This House wil not decide whether some contracts are to be given or are not to be given.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: What is the time-limit for this, Madam?

THE DEPUTY CHAIRMAN: There is very little time because no time was allotted for this subject. So, I would request you to be as brief on the point as you can be.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Madam, we started a discussion on this important, but somewhat painful, subject of Kashmir on Thursday, the 25th February, 1993. That was a day of many co-incidences. As I said, it was a day when the Punjab Government had completed one year of restoration of democracy and within that one year, it has progressed considerably further towards normalisation of the situation in Punjab. Why I mention this is we have alsays discussed these two subjects together—Punjab and Kashmir. I remember myself making a reference in 1982 to the several goodwill meetings which were held in Kashmir. Now that there is so much of hope and encouragement in Punjab, let me share this confidence with the House that we may also have a similar climate in Kashmir. Though I do not think it to be early there is no easy solution to the Kashmir problem.

The second co-incidence was the holding of the BJP rally. Now, Kashmir is facing a type of religious fundamentalism and the events which had taken place in our country, particularly after the 6th December, reflect the opposite side of the religious fundamentalism. Let me say most emphatically and most firmly, that religious intolerance can be the most serious and deadly threat to democracy, to the rule of law and to the Constitution. Today I take this opportunity to appeal to all of you to eschew any kind of religious intolerance, fundamentalism, obscuranitism because these are all divisive and diversionary tactics which do not make the nation progress, which do not in any manner improve the day-to-day life of an average Indian citizen. It will not promote the welfare and well-being of the Indian citizen. Now, as I have said, this is really a painful duty that we have to perform. We do not like that in any part of India, there should not be a democratic government, that there should not be a popular government working and there should be imposition of President's Rule. But Kashmir has its own problems. Apart from the religious fundamentalism, it is facing a proxy war, unfortunately with a neighbouring nation. I do not know why the former Foreign Minister is leaving. I thought he would support me on this point. Anyway, it is heartening to find that increasingly, all over the world, there is a strong condemnation of Pakistan for the way in which it is promoting and supporting terrorism in the Valley. I personally feel that the Government has taken a very firm and stern action because we cannot compromise at any cost the integrity and sovereignty of our nation. But I find that the international climate is not really very very positive towards our country. Particularly heartening is the statement made by the British Prime Minister, Mr. John Major, when he visited both the countries, that the issue must be solved bilaterally within the framework of the Shimla Agreement. This is only to highlight that all the efforts of Pakistan to internationalise this issue have failed.

Well, the solution to the problem of Kashmir can be put into three compartments: first, military, second, political, and third, economic and social.

I find that the military solution is now under control because we have repelled several marches into our territory by the JKLF and other like-minded parties. So far as the administration is concerned, from whatever I have learnt—I try to keep a close watch on what is happening in Jammu and Kashmir—things are really improving. When the agriculture there is normal, when horticulture is normal, when sericulture is normal, when the carpet industry is again producing quite a substantial amount and the people are getting a better price by selling them in the other parts of the country—formerly they were only sold to the tourists substantially in the Valley; but that practice has disappeared now—it means that things are improving there. The point that I am making is that there is some improvement. But I do not share the confidence or the hope of the Home Minister when he puts it in a much brighter light. I think there is nothing more on the political aspect. We do not know with whom to deal. He has said, "Yes, All the political parties must get togheter and start the political process." He has also given a somewhat rosy picture, which I do not share, that the people, by and large, are getting disillusioned with the terrorists. Please do not make any such mistake. They may get a little annoyed sometimes. But don't forget that the terrorists or militants are also considered as heroes by a large section of the population in the Valley. They are respected even by the elderly population and it is a very strange phenomenon because Kashmir has been known eternally as the Valley of Peace, as the Valley of Joy. Its culture is based on Sufism, it is based on peace, and, therefore, this kind of a sudden eruption of militancy, sudden eruption of fundamentalism, has to be really analysed more closely. But I have no doubt –I have great hope—that the climate has considerably changed since we discussed this last August. I think the people are getting tired of these militants. But that is not to say that the pendulum has swung in our favour. I think for the political process to start there, the first thing is to restore the popular Government there. One will have to find a way out. Nature abhors any vacuum. I am quite sure that in course of time we will find the leadership in Kashmir to whom we can entrust the task of restoring democracy back to rails.

Then, there is the question of greater autonomy to Kashmir. Sitting here and speaking here in the Council of States, may I say—we have discussed it—that the time has come for us to go in a greater depth to give more and more powers to the States? I think, the Sarkaria Commission Report has remained on the shelf for a long time. Let us start now and say that all the residuary powers which are now vested in the Union Government are transferred to the States by an appropriate Constitutional Amendment. That will go a long way beacuse a time has come that if India has to progress more rapidly, if our country has to become more self-reliant, it can be done only by decentralisation. I am not suggesting that what was done earlier was not necessary. On the contrary, it was necessary. It was because of what we did at that time that we are seeing this comfortable position today. I think, there should be an in-depth discussion some time or the other on the type of autonomy which we are going to give. What has happened is that when we talk about Kashmir, we talk only about the Valley. Let me for a change talk about Ladakh. The other day, the Prime Minister himself made a statement that the accord with the Bodos is a model. Now an Autonomous Council has been assured and agreed to for Ladakh by the Prime Minister after Prime Minister. It is not as if only one Prime Minister has agreed to. Several Prime Ministers had agreed to it. I know that there is some kind of opposition in the Kargil area. But

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that is not to say that we should not respect the wishes of the overwhelming majority in the Ladakh region and protect the Buddhists. And I want an assurance that this autonomy will be given to Ladakh as we have done in the case of Bodos in a time-bound programme. And in fact, when the hon. Minister replies, I shall be grateful if he can tell us by what time he will be able to confer such an autonomy on Ladakh.

Then I come to the migrants of Jammu. It is unfortunate that as much attention as is required to the people who had to leave their homes, who had to leave the Valley, is not attached. I think, we must really do our best beacuse unless you protect the migrants, the feeling of alienation, the feeling of discrimination, the divide on the basis of religion will only grow. Therefore, I appeal to you that you set up a special cell to see that in the matters of their livelihood, in matters of their employment, in matters of their professional future, they are amply protected.

I now come to the economic and social aspects of the people in the Valley. And generally, I think, what is to be needed now for the minorities or for the majority is, let us not talk about religion, let us not talk about appeasement. Give them their economic prosperity. Give them their social equality. And you will find that that is the real solution to this acute feeling of discrimination, to this frustration of deprivation, to this almost irretrievable strong feeling of alienation. If you want to keep India on a very strong footing, we should look at doing something in Kashmir. I have made this suggestion several times but it has only remained in the records of the Parliament. I suggest that for the integration of the people of the Valley, what is necessary is to draw the youth out of the Valley to the rest of the parts of the country. I suggest that you reserve at least one seat or two seats in all the prestigious educational institutions like the Elphinstone College, Bombay, St. Xavier College, Bombay, St. Stephen College or Hindu College of Commerce and other medical or engineering colleges, and in the I.I.Ts and see that these youths are admitted to these institutions. You give them free education and free hostel accommodation. And that money will be well-spent because when they go back, they will go back as true Indians, as cosmopolitan citizens, bringing back the old memories of Kashmir to all of us as a place of harmony and joy.

As I said, it is undoubtedly a matter of pain for us. You have used the Constitutional order of 1954 and that order has served us well. It has dovetailed the entire Constitution of India in a substantial manner in Jammu and Kashmir. In fact, the differences are only imaginary, and substantially Jammu and Kashmir is now ruled by the Indian Constitution. You have changed it in only four years. But today, I must express my apprehensions with some anguish that this period may not be enough and you may have to extend it further by resorting to that device which is available to you now in the Constitution. May I, therefore, say that though painful it is, it becomes a bounden duty for every one of us to see that the Constitution does not fail. There will be a Constitutional deadlock if we do not approve of this Proclamation. Therefore, I commend to the House though reluctantly and with some pain though it is at the cost of democracy, yet in the larger interest of restoration of harmony, in the larger interest of maintaining the integrity and unity of the country, let us do this painful duty of voting in favour of this Proclamation. Thank you.

**श्री कृष्ण लाल शर्मा** (हिमाचल प्रदेश): उपसभापति महोदया, आज 6 महीने के लिए राष्ट्रपति शासन की अवधि जम्मू और कश्मीर राज्य में बढ़ाने का प्रस्ताव रखकर केन्द्र सरकार ने एक बार फिर यह स्वीकार कर लिया है कि सरकार जो दावे करती रही हैं कि जम्मू कश्मीर में परिस्थिति सुधर गई है, वह वैसी नहीं है। सरकार अभी उसमें सफल नहीं हुई है और मैं दूसरा पक्ष

कहूंगा कि सरकार उसमें विफल हुई है। मुझे इसका भी दुख है कि वहां 18 जुलाई, 1990 से राष्ट्रपति शासन है, लेकिन वहां पर न तो परिस्थिति को सुधारने के लिए आवश्यक कदम उठाए जा रहे हैं और न ही जो उसमें कुछ टैक्नीकली ऐसी कुछ कमियां हैं, उनको ठीक करने की कोशिश की जा रही है। समय जाया किया जा रहा है और 6 महीने के बाद भी फिर से हम वहीं आ कर खड़े हो जाएंगे कि अभी कुछ चीजें तय नहीं हुई हैं इसलिए चुनाव नहीं हो सकते। हम चुनाव करवाने के पक्ष में हैं, चुनाव होने चाहिए। लेकिन साथ-साथ हम यह भी अवश्य चाहते हैं कि वहां ऐसी परिस्थितियां निर्माण होनी चाहिए जिसमें फ्री एंड फेयर इलेक्शन—निष्पक्ष और स्वतंत्र चुनाव हो सकें। वहां पर इस समय तीन बातों की आवश्यकता है। आतंकवाद अभी कम नहीं हुआ है, इतना ही नहीं है, आतंकवाद कश्मीर वैली से निकलकर डोडा जिला और जम्मू की तरफ बढ़ा है। डोडा जिला की परिस्थिति इस समय ऐसी है कि अगर सरकार ने तुरन्त कुछ कदम नहीं उठाया तो डोडा जिला भी कश्मीर वैली की तरह उस परिस्थिति में आ जाएगा कि एक वर्ग के लोग हताश और निराश होकर असुरक्षित महसूस करते हुए वहां से निकल भागेंगे। सरकार न उनको सहायता दे रही है। उनको वहां टिके रहने के लिए जो वह संघर्ष भी करना चाहते हैं, उसमें उनको जो मदद पहुचानी चाहिए वह मदद नहीं पहुंच रही है। वहां के लोग शस्त्र चाहते हैं। वहां के लोग यह भी चाहते हैं कि डोडा जिले में जो कैंटोनमेंट बनाने का आश्वासन सरकार ने दिया था वह पूरा किया जाए और डोडा जिले को भी डिस्टर्ब्ड ऐरिया करार देकर वहां पर सरकार आवश्यक कदम उठाए लेकिन सरकार वह कदम नहीं उठा रही है और वहां पर आतंकवादियों का दबाव बढ़ रहा है।

मेरा कहना यह है कि पहला कदम जो सरकार को उठाना चाहिए वह यह है कि आतंकवाद को एक लॉजिकल ऐंड तक समाप्त करने के लिए पूरे प्रयास किए जाएं। कश्मीर वैली में, उसके साथ-साथ डोडा जिले में और जम्मू में इसके खिलाफ कार्यवाही होनी चाहिए। चुनाव के लिए अनुकूल वायुमंडल तभी बन सकेगा और इसके पीछे जो हम पाकिस्तान का हाथ होने की बात बार-बार करते हैं, पाकिस्तान प्रॉक्सी वार लड़ रहा है या पाकिस्तान उसमें हस्तक्षेप कर रहा है, हमने एक बार भी पाकिस्तान के खिलाफ कोई सख्त बात नहीं कही, कोई कदम नहीं उठाया। हमने उनको चेतावनी भी नहीं दी।

मैं चाहता हूं कि सरकार पाकिस्तान को चेतावनी दे कि वह कश्मीर में अपना हस्तक्षेप बंद करे, शिमला ऐग्रीमेंट के मुताबिक कश्मीर की समस्या को हल करने के लिए आगे आए नहीं तो जो व्यवहार पाकिस्तान कर रहा है, उसका उत्तर हमारी सरकार कठोरता से देगी।

वहां पर डिलिमिटेशन करना आवश्यक है। वहां पर 11 सीटें बढ़ाई गई हैं और जब तक डिलिमिटेशन नहीं होता और 11 सीटें कहां बढ़ेंगी, कैसे होगा, जब यह पुनर्संयोजन का काम नहीं होता, तब तक चुनाव वहां पर नहीं हो पाएगा। इसलिए मेरा कहना यह है कि सरकार तुरंत डिलिमिटेशन कमीशन का काम पूरा कराए। डिलिमिटेशन वहां पर पूरा हो, तभी यह काम होगा और चुनाव की बात हम कर पाएंगे नहीं तो यह बीच में रह जाएगा।

एक बात और भी जरूरी है कि अगर हमें निष्पक्ष और स्वतंत्र चुनाव करवाने हैं तो जब तक विस्थापित वहां नहीं जाते तब तक यह नहीं हो सकता। हम यह न करें कि वहां चुनाव तो हो जाएं लेकिन जो असली मतदाता है वे अपनी जगह पर न पहुंचें। सभी विस्थापित अपनी जगह पर पहुंचें, ऐसी परिस्थितियां निर्माण की जाएं ताकि वह अपने क्षेत्र में जाकर चुनाव के समय मतदान कर सकें। इस दृष्टि से हम कदम उठाएं। विस्थापितों की दशा में हम अच्छी तरह से जानते हैं। कश्मीर से बाहर वह आए हैं। उनका अपना कोई दोष नहीं है। एक वर्ग के लोग वहां से निकाले गए हैं। कश्मीर वैली इस समय एक नॉन-सैक्यूलर एरिया बन गई है। हम लोग उसके बारे में कोई चिंता नहीं करते हैं। कोई एक शब्द बोलने के लिए तैयार नहीं है। मैं चाहता हूं कि विस्थापितों को वहां बसाया जाए और जब तक वे वापस न जाएं उनकी दशा पर सरकार पूरा विचार करे। उनको हर प्रकार की सहायता दे। अभी भंडारे जी ने कहा कि कश्मीर के लोगों को ऐडमिशन दिया जाए। उन विस्थापितों को न ऐडमिशन मिल रहा है, न नौकरी मिल रही है। वह बेचारे दर-दर भटक रहे हैं। यह परिस्थिति अच्छी नहीं है। विस्थापितों की हमें पूरी चिंता करनी चाहिए।

आज धारा 370 की बात कही जाती है। मैं समझता हूं कि यह इस समय इरैलेवेंट हो गई है। कोई यूजफुल परपज़ धारा 370 ने वहां पर सर्व नहीं किया है और जो भी धारा 370 के अंतर्गत अधिकार दिए गए हैं, उनका फायदा भी कुछ लोगों ने उठाया और गरीबों तक, नीचे तक उसका फायदा नहीं पहुंचा। तो धारा 370 आज सबके लिए लैबलिटी बन गई है, जनता के लिए भी, देश के लिए भी, पोलिटिकल पार्टीज़ के लिए भी और

[श्री कृष्ण लाल शर्मा]

प्रदेश के लिए भी। इसलिए मेरा कहना यह है कि इस धारा को हटाया जाए।

मैं यह भी कहना चाहता हूं कि क्षेत्रीय असंतुलन को समाप्त करने के लिए तीन स्टैट्यूटरी रीजनल काऊंसिल्स तय की जाएं, डेवलपमेंट काऊंसिल बनाई जाएं। लद्दाख कब से इसके लिए लड़ाई कर रहा है। जम्मू रीजन भी इस समय असंतोष का शिकार है और जम्मू में, लद्दाख में और कश्मीर वैली में, तीनों जगह शिक्षा के क्षेत्र में, नौकरियों के क्षेत्र में, विकास के क्षेत्र में, बराबर की प्रगति के लिए अगर तीनों रीजनल काऊंसिल्स नहीं बनाई जाएंगी और यह पक्षपात होता रहेगा तो असंतोष बढ़ेगा और चुनाव ठीक प्रकार से वहां पर नहीं हो पाएंगे। इस के साथ ही मैं यह भी कहना चाहता हूं कि जम्मू कश्मीर में जो घटनाएं होती हैं, केन्द्र सरकार उन का सही नोटिस नहीं लेती है। बहुत शोर मचा है इस देश में 6 दिसंबर की घटनाओं का, लेकिन 6 दिसंबर के बाद कश्मीर में और उसके आस पास के क्षेत्रों में जो धार्मिक स्थान तोड़े गए हैं, कितने धार्मिक स्थानों को नष्ट किया गया है, इस के बारे में सरकार ने अभी तक कोई वक्तव्य नहीं दिया है। बल्कि यहां तो यह बहस चल रही है कि 50 नहीं, 30, 30 नहीं 20 स्थान हैं। मैं समझता हूं कि यह किसी दृष्टि से अच्छा नहीं है। हम चाहते हैं कि एक भी धार्मिक स्थान कहीं पर अगर तोड़ा जाता है तो सरकार उस की चिन्ता करे। आप एक जगह की चिन्ता करेंगे और आप देश भर की चिन्ता नहीं करेंगे तो लोगों के मन में इससे अलग भावनाएं पैदा होंगी इसलिए मैं यह भी चाहता हूं कि एक संयुक्त संसदीय समिति वहां भेजी जाए। गृह मंत्री जी ने एक समिति भेजी थी। वह कश्मीर वैली में हो कर आई थी। गृह मंत्री ने यह आश्वासन दिया था कि यह समिति जम्मू और लदाख में भी जाएगी और उन की समस्याओं के बारे में विचार करके यहां पर रिपोर्ट देगी मैं भी उस समिति में गया था। मैं चाहता हूं कि यह संयुक्त संसदीय समिति दोबारा कश्मीर में भी भेजी जाए। वहां की वास्तविक स्थिति क्या है उस को देखे क्योंकि वहां एक वर्ग के लोगों के साथ जो अन्याय हो रहा है, वहां पर अल्पसंख्यकों के साथ जो अन्याय हो रहा है, उन के धार्मिक स्थानों को तोड़ा जा रहा है, किसी भी प्रकार से उनके रहने की वहां पर व्यवस्था नहीं है, चाहे नौकरी हो, चाहे उद्योग हो, उनके साथ हर क्षेत्र में अन्याय हो रहा है। मैं चाहता हूं कि एक संयुक्त संसदीय समिति वहां पर भेजी जाए जो वहां पर देखे कि वहां पर कितने धार्मिक स्थान टूटे हैं और कितना विनाश हुआ है। पिछली बार अमरनाथ की यात्रा के बारे में व्यवधान पैदा किया गया। अमरनाथ की यात्रा हुई, इस की मुझे प्रसन्नता है लेकिन फिर भी वहां पर हालात ऐसे हैं कि वहां पर एक वर्ग के लोगों की न किसी प्रकार की सुरक्षा है, न किसी प्रकार से उनकी धार्मिक आस्थाओं की सुरक्षा हो रही है। बल्कि उनकी आस्था का अपमान लगातार हो रहा है। सरकार इस की कोई चिन्ता नहीं कर रही है। मैं चाहता हूं कि सरकार अगर यह चाहती है कि वहां पर चुनाव हों, 6 महीने के बाद वहां चुनाव हों और कश्मीर भी जल्दी से जल्दी पंजाब की स्थिति में आए तो कम से कम एक बात वहां पर न दोहराई जाए। जो सुधार पंजाब में हुआ है मैं भी उस को मानता हूं लेकिन पंजाब में भी अभी सारी समस्याएं हल नहीं हुई हैं। वहां पर अभी सरकार को बहुत ध्यान देना है। लेकिन कश्मीर में भी पंजाब की तरह के चुनाव न हों कि 15-20 परसेंट लोग वोट करें और चुनाव हो जाए। मैं चाहता हूं कि 6 महीने का जो अवसर सरकार को मिल रहा है इस अवसर का लाभ उठाए और इस अवधि में आतंकवाद से वहां के लोगों को छुटकारा मिले। वहां पर तीनों रीजन के लोगों को विश्वास में लिया जाए और उनमें ऐसा माहौल पैदा किया जाए कि हम ज्यादा से ज्यादा लोगों को मतदान में शामिल करवा सकें और बहुमत से वहां की सरकार चुनवाई जाए। वहां पर एक बात का ध्यान रखा जाए कि सरकार चुनाव में कोई लीडरशिप इंपोज करने की कोशिश न करे। चुनाव के बाद जो लीडरशिप इमर्ज होती है या जिस पार्टी को वहां पर समर्थन मिलता है सरकार उस को स्वीकार करे। पंजाब में यह स्वीकार किया गया है, जम्मू-काश्मीर में भी यह स्वीकार होना चाहिए। भारतीय जनता पार्टी लोकतांत्रिक प्रक्रिया के पक्ष में है। हमने पंजाब में भी कभी चुनाव का बहिष्कार नहीं किया है। एक बार कांग्रेस ने किया, एक बार अकाली दल ने किया लेकिन भारतीय जनता पार्टी ने यह जानते हुए भी कि उसका ज्यादा सीटें मिलने वाली नहीं है, चुनाव का बहिष्कार नहीं किया है। जम्मू-कश्मीर में भी हम बहिष्कार नहीं करेंगे, हम उस में सहयोग देंगे ताकि विदेशियों को भी हम इसका मुहतोड़ जवाब देने के लिए वहां पर चुनाव द्वारा लोकतांत्रिक सरकार गठित कर सकें।

इस के साथ ही साथ वहां पर जो एक अन्य परिस्थिति है कि सब के साथ एक जैसा व्यवहार नहीं होता। वहां पर सब क्षेत्रों के साथ एक सा व्यवहार होना चाहिए और जो इंबैलेंस है वह खत्म होना चाहिए। उसकी तरफ ध्यान दिया जाए और चुनाव वहां पर हों तो इस बात का विशेष ध्यान रखा जाए कि पाकिस्तान या अन्य कोई भी ताकत किसी भी क्षेत्र में चुनाव में हस्तक्षेप करने की स्थिति में न रहे।

इन अपने विचारों के साथ मैं जो यहां पर प्रस्ताव रखा गया है राष्ट्रपति शासन को 6 महीने के लिए बढ़ाने का उसे इस शर्त के साथ समर्थन देता हूं कि 6 महीने में वहां चुनाव होंगे और जो सुझाव मैंने दिए हैं उनके अनुसार पहले सुधार होंगे और चुनाव के लिए उपयुक्त माहौल बनाएं। धन्यवाद।

THE DEPUTY CHAIRMAN: Further discussion on this subject will be taken up after lunch and the House is adjourned for lunch till 2.30 p.m.

TheHouse then adjourned for lunch at thirty minutes past one of the clock.

*[The House reassembled after lunch at thirty-three minutes past two of the clock.]*

[THE VICE-CHAIRMAN, (SHRI V. NARAYANASAMY) *in the Chair.*]

**चौधरी हरि सिंह** (उत्तर प्रदेश): मान्यवर, जम्मू और कश्मीर में राष्ट्रपति के शासन की अवधि छः माह और बढ़ाये जाने के संबंध में सदन में आज विचार हो रहा है। मुझे यह कहते हुए प्रसन्नता है कि पिछले दिनों में कश्मीर और जम्मू के अन्दर आतंकवादियों का जो आधार था उसको बड़ी ठोस लगी और वहां पर बहुत सुधार नजर आया है। लेकिन जैसे-जैसे पंजाब के अन्दर आतंकवादियों पर दबाव बढ़ा है और उनकी एक्टिविटीज फेल होती नजर आ रही हैं तो पाकिस्तान को इससे बड़ी निराशा हो गई है। चूंकि उसके द्वारा दो राज्यों, पंजाब और कश्मीर के अन्दर बराबर आतंकवादियों से अपनी कार्यवाहियां करा करके हिन्दुस्तान के लिए एक सिरदर्द बना हुआ है तो ज्यों-ज्यों पंजाब में हालत अच्छी होती गई त्यों-त्यों पाकिस्तान ने अपनी एक्टिविटीज, आतंकवादियों की एक्टिविटीज, को कश्मीर और जम्मू के अन्दर बढ़ा दिया है। उधर अफगान गुरिल्लों को भी पाकिस्तान ट्रेनिंग देकर अफगानिस्तान में सिविल वार करा रहा था, उनको भी उसमें जम्मू और काश्मीर की ओर बढ़ा दिया है। क्योंकि पाकिस्तान बराबर जम्मू-कश्मीर में अशांति फैलाने का मंसूबा बनाकर अपना प्रोग्राम चलाता आ रहा है। लेकिन इसमें उसको आज तक कभी सफलता नहीं मिल पाई है। अब वह वक्त दूर नहीं जबकि जम्मू-कश्मीर में हालात बिल्कुल नार्मल हो जायेंगे। मुझे यह कहने में बड़ी खुशी है कि जो मिलेट्री आतंकवाद, मिलेट्री द्वारा सताये जाने की बात कही जा रही थी, एक आध वाकया हुआ, उसकी इन्क्वायरी हुई, उसकी जांच-पड़ताल हुई, उसके बाद वहां पर मिलेट्री का एक नया रोल शुरू हुआ। इससे वहां मासेज में हीलिंग टच शुरू हुआ है। उन्होंने हास्पिटल और दूसरी सर्विसेज तथा लोगों के आम उपयोग की जो चीजें हैं, उसको पहुंचाने का कार्य भी शुरू किया है और अब कश्मीर में हालात बड़ी तेजी से सुधर रहे हैं। लेकिन, जैसा कि मैंने अभी निवेदन किया पाकिस्तान पंजाब में जब फेल हुआ तो उसकी पूर्ति के लिये अब उसने यह काम बड़ी शक्ति के साथ जम्मू-काश्मीर में कार्य शुरू कर दिये हैं। आपको सुनकर ताज्जुब होगा कि पाकिस्तान सरकार के पोलिटीशियंस, राजनैतिज्ञ, मंत्रीगण और मिलेट्री की जो इंटलीजेंशिया है वह हेरोइन, ड्रग्स के व्यापार में लिप्त है। यह वर्ल्ड-वाइड अखबारों में छपा है। यही नहीं वहां कुछ हेरोइन एजेंसीज ऐसी हैं जो इसके प्राफिट से सेपरेटिस्ट मूवमेंट को बड़े पैमाने पर आर्थिक सहायता देती है। आज पाकिस्तान को दूसरा झटका यह भी लगा है कि दुनिया के फोरम में जहां-जहां भी काश्मीर का मसला उठाया गया वहां पर उनको कोई सहायक, कोई हमदर्द, कोई मदद करने वाला नहीं मिला। बल्कि, मुझे यह कहते हुए बड़ी खुशी है कि हमारी विदेश नीति और राव जी की विदेशों से संबंध और सुदृढ़ करने की जो नीति है उसके कारण पिछले एक-दो महीनों में विदेशों के कई प्रधानमंत्री, राष्ट्रपति, मंत्री यहां आये और हमारा जो दृष्टिकोण है, कश्मीर के बारे में, उन्होंने उसकी पुष्टि की है। इससे मालूम पड़ता है कि ग्लोबल, संसार का जो हमारा रंचगंच है उसने कश्मीर के बारे में हमारे दृष्टिकोण को ध्यान से समझा है। मैं इसको एक बहुत बड़ी कामयाबी मानता हूं। जैसा मैंने कहा कि ऐसी हालत वहां पर थी कि जम्मू-कश्मीर में पंजाब से पहले हालात ठीक होने जा रहे थे। लेकिन निराशावश पाकिस्तान ने अपनी एक्टीविटीज वहां तेज कर दी है। पढ़ने में आया है कि कश्मीर में बी०जे०पी० पार्टी के एक पदाधिकारी की हत्या कर दी गयी, कांग्रेस के जनरल सेक्रेटरी जो डिस्ट्रिक्ट लेबल के थे, उनका वध कर दिया गया। इसी के साथ-साथ 16 वर्षीया सईदा नाम की लड़की को किडनेप करके ले गये, जिसको मिलेट्री ने बड़ी मुश्किल से छुड़ाया। ये सारी एक्टिविटीज, इससे जाहिर है कि बड़ी तेज हो गयी है। अभी हम पूरे भरोसे के साथ नहीं कह सकते ऐसी परिस्थिति में वहां पर राजनैतिक प्रक्रिया शुरू करने के लिये चुनाव कराया जा सकता है। अभी ऐसा माहौल वहां पैदा नहीं हुआ है। सरकार की जो नीति है और मुझे बड़ी खुशी है कि मौजूदा सरकार का चुनाव में, डेमोक्रेसी में, प्रजातंत्र में, वोट-राज में भरोसा और यकीन है। अभी आपने देखा है कि इतने स्टेट्स में चुनाव हुए।

[चौधरी हरि सिंह]

पंजाब का चुनाव आपके सामने है। इसका यह नतीजा हुआ कि वहां पर आतंकवादी अलग-थलग पड़ गये हैं और अमन की जिंदगी का दौर वहां पर शुरू हो गया है। हमारी जो सरकार है वह सिर्फ गन कल्चर के जरिये ही कश्मीर का साल्यूशन निकालने नहीं जा रही है। अभी आपने देखा है कि हमारे फाइनेंस मिनिस्टर ने जो हमारे सारे पहाड़ी राज्य हैं, जिनमें कश्मीर भी है, उनको बड़ी धनराशि दी है जिससे कि वहां के लोगों की जिंदगी में सुधार आये और वे आर्थिक तौर पर अपने पैरों पर खड़े हो सके। इसमें लोगों का इवाल्वमेंट हो, नौजवान काम में लगें। यही नहीं, दूसरी जो सारी स्कीमें हैं जैसे पर्यटन है, कालीन बनाने का धंधा है, क्राफ्ट का है, जो वहां पर पोलिटेकनिक्स है, बड़े-बड़े जो काम है इनमें लोगों का इन्वाल्वमेंट हो और वहां के यंग मैन उसमें लग सकें, ऐसे कुछ काम वहां पर खोले जा रहे हैं। जिससे कि संस्थानों में नौजवान जा कर के काम कर सकें। तो यह जो कहा जा रहा है कि सिर्फ बन्दूक के ज़रिये या पुलिस के ज़रिये से आंतकवाद को कम किया जा रहा है, यह नहीं है बल्कि वहां के लोगों को भी इसमें इनवाल्व किया जा रहा है। यह आवश्यक भी है। मुझे इस बात की बड़ी खुशी है कि पहले जो नारे कश्मीर के अन्दर लगते थे आज वे स्लोगन कश्मीर के अन्दर सुनाई नहीं देते हैं। यह सरकार की बड़ी भारी सफलता के चिन्ह हैं। आज हम यह नहीं कह सकते हैं कि कश्मीर पाकिस्तान के हाथ में जा रहा है, वहां पर आतंकवादियों का राज है, ऐसा नहीं है। हालात बड़ी तेजी से सुधरते चले जा रहे हैं। मैं कहना चाहता हूं कि जैसे कि पंजाब में हमारा तजरुबा अच्छा सिद्ध हुआ उसी तरह से कश्मीर में यह सिद्ध होगा। लेकिन इसके लिए यह करना होगा कई आर्गेनाइज़ेशंस ऐसी है जिनसे बात नहीं की जा सकती है, मेरा इस संबंध में निवेदन यह है जितनी भी हमारी पोलिटिकल पार्टीज़ हैं, उनके एक्स मिनिस्टर्ज़ हैं, एक्स एम०एल०ए० हैं, एक्स एम०पी० हैं, जो संविधान के अनुसार डेमोक्रेटिक इंस्टीट्यूशंस में, वोट के राज में यकीन करने वाले हैं, सब को बुला कर के उनके साथ मीटिंग करनी चाहिये। उनके ख्यालात सुन कर राजनीतिक प्रक्रिया शुरू करनी चाहिये और चुनाव की प्रक्रिया शुरू करनी चाहिए। मेरा सुझाव यह है कि जितनी भी मौजूदा राजनीतिज्ञ पार्टियां हैं सब के प्रतिनिधियों को शामिल किया जाए लेकिन यह शर्त है कि उनका संविधान के अनुसार डेमोक्रेटिक इंस्टीट्यूशंस में, वोट के राज में फेथ होना चाहिए तब जा कर के राजनीतिक प्रक्रिया शुरू हो सकेगी। मैं इस मौके पर ज्यादा न कह कर, आपका भी इशारा है कि मैं जल्दी अपनी बात खत्म करूं, यह कहना चाहूंगा कि इस वक्त कश्मीर के अन्दर हालात बड़ी तेजी से सुधर रहे हैं और आतंकवाद पर दोहरी मार की जा रही है। मेरी यहां पर यह राय है कि वहां के नौजवानों को, 10-12 साल के बच्चों को ला कर के हिन्दुस्तान के दिल्ली जैसे बड़े-बड़े शहरों में इंस्टीट्यूशंस में दाखिल कराना चाहिए, पढ़ाना चाहिए जिससे उनका दृष्टिकोण बदल सके। वहां की आम जनता आतंकवाद से तंग आ चुकी है। जे०के०एल०एफ० जैसी जितनी भी आर्गेनाइज़ेशंस हैं उनको ठुकरा दिया है, उनसे उनका यकीन चला गया है, उनको वहां पर कोई मदद नहीं देती है। इसलिए मैं कहना चाहता हूं कि 6 महीने के लिए राष्ट्रपति शासन की अवधि बढ़ा दी जाए लेकिन साथ ही साथ राजनीतिक प्रक्रिया भी शुरू करने के लिए सार्थक कदम सोच विचार कर के उठाए जाने चाहिएं। इन्हीं अल्फाज़ के साथ मैं इस संकल्प का समर्थन करता हूं।

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Shri Mufti Mohd. Sayeed. Your time is 13 minutes.

SHRI MUFTI MOHD. SAYEED (Uttar Pradesh): I should have more time.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): The time allotted to your party is 13 minutes.

SHRI MUFTI MOHD. SAYEED: I should have more to speak; otherwise there is no use.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): As far as possible try to be brief.

SHRI MUFTI MOHD. SAYEED: I will try to be brief.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): He is the author of mess in Kashmir.

**श्री मुफ्ती मुहम्मद सईद:** चलिये ओ०के०। कश्मीर में राष्ट्रपति शासन के तीन साल मुकमल हुए। 6 महीने की एक्सटेंशन लेने के बाद अगर सरकार की यही मंशा होगी कि फिर वहां राष्ट्रपति शासन लागू रखा जाए तो उसके लिए संविधान में संशोधन करने की जरूरत है। कश्मीर का जो रिलेशन कंट्री के साथ है वह धारा 370 के तहत है। कोई भी संशोधन जो पार्लियामेंट पास करे, जब प्रेज़ीडेंट उसके बारे में कोई आर्डर इश्यु करें उसके लिए स्टेट लेजिस्लेचर का कनक्रेंस जरूरी है। स्टेट

गवर्नमेंट का मतलब है लेजिसलेचर एंड काउंसिल आफ मिनिस्टर्ज़। इस वक्त जितने भी अख्तयार हैं राष्ट्रपति शासन लागू करने के बाद वह सब अख्तयार, अथार्टी प्रेज़ीडेंट एंड काउंसिल आफ मिनिस्टर्ज़ को है। मेरा यह कहना है कि तीन साल के बाद आज काश्मीर में क्या स्थिति है और अगले 6 महीनों में कैसे—जैसे मेरे साथी यहां कह चुके हैं कि पंजाब में एक तजुर्बा हुआ और जब चुनाव हुए तो ज्यादा लोगों ने हिस्सा नहीं लिया उस चुनाव में मगर रिप्रेजेंटेटिव गवर्नमेंट आने के बाद वहां से जो भी लोग आते हैं कहते हैं वहां के हालात में सुधार है और लोगों के जहनों से डर खत्म हुआ है। जैसे पंजाब के हालात हैं वैसे कश्मीर के हालात को दोनों को we cannot compare the situations in the two States. लेकिन एक वक्त का सवाल है। वही डी.जी पुलिस मिस्टर गिल जब राजीव गांधी देश के प्रधान मंत्री थे, तब इंचार्ज थे, वही हमारे जमाने में भी थे, वही चन्द्रशेखर के जमाने में भी थे, वही अब हैं। पंजाब में भी लोगों को यह रियलाइजेशन हुआ है कि इस गन से कोई मसला हल होने वाला नहीं है। तो ऐसे ही जब हम काश्मीर में ग्राउंड सिचुएशन की बात करते हैं, एक बात तो जरूर है कि पहले जो लोग मिलिटेंसी में गये थे वे लोगों की नजरों में, जो हालात काश्मीर में रहे उसमें उनको हीरोज का, लिबरेटर्स का दर्जा था लेकिन वक्त गुजरने के साथ-साथ मिलिटेंसी में ऐसे लोग आ गये जिन्होंने कुछ ऐसे काम किये जिनका कोई कमिटमेंट नहीं था। लोगों को एक्सटार्ट किया, पैसा लिया। सारे कमिटमेंट का माहोल जो था वह नहीं रहा। इसलिए मिलिटेंसी में वहां जो भी जेनुइनली इन्वाल्व थे, वे देश के बाहर भी हैं, कश्मीर के अंदर भी हैं, वे समझते हैं कि एक सिचुएशन डेड एंड को पहुंच गयी है। गन से कुछ नहीं मिलना है। गन से काश्मीर की तहजीब को खतरा हो गया है, वह खराब हो गयी है और लोगों का एलीनियेशन, डिसएल्यूशनमेंट उनसे है। लेकिन सिक्योरिटी फोर्सेज जिनको नार्मली मिलिटेंसी को कंटेन करना है उनकी तरफ से भी कहीं एक्सेस, ज्यादतियां हो जाती हैं जैसे सोपोर में हुआ तो उससे सिचुएशन फिर उलट जाती है।

एक तो यह है कि डिफिनट इम्प्रूवमेंट इस हद तक है कि लोगों को डिसएल्यूशनमेंट है। दूसरा यह बात साफ जाहिर है कि पाकिस्तान ने काश्मीर के नौजवानों को एक गन पाउडर के तरीके से इस्तेमाल किया है। होम मिनिस्टर बताएंगे कि कितना सीजर हुआ है। मेरी इन्फारमेशन है कि साढ़े सात हजार ए.के. 47 राइफल्स का सीजर हुआ है पिछले तीन साल में। काश्मीर में जितना भी इन्फ्रास्ट्रक्चर था, जितने भी ब्रिजेज थे सबको जलाया गया एक्सेप्ट नेशनल हाइवेज। जितने भी स्कूल्स थे, मेन स्कूल्स उनको जलाया गया, जितनी भी फारेस्ट वेल्थ है वहां जंगलों की वहां दरख्तों की बिल्कुल इनडिसक्रिमिनेट फेलिंग शुरू हो गयी। तो एक तरफ काश्मीर का एकेडमिक एटमोस्फियर Kashmir is the only State in the country where there is free education from the primary level to the university level.

और गांव में पढ़े लिखे हैं। लेकिन आज का माहोल ऐसा है कि वहां पढ़ाई का भी माहोल नहीं है। मेरे ख्याल से 30-40 हजार से ज्यादा काश्मीर के लड़के स्टूडेंट्स बाहर के स्कूलों, कालेजों और यूनिवर्सिटियों में पढ़ाई हासिल करते हैं। यह मैं कह सकता हूं कि एक करन्चर को, काश्मीर के कल्चर को, एज फार एज टूरिज्म इज कन्सर्ड, सारी दुनिया में एक मशहूर डेस्टीनेशन था...।

विंटर का टूरिज्म वहां था, समर का टूरिज्म था, आटम का टूरिज्म था और कोई नौ-दस के करीब रोज वहां फलाईट्स जाती थीं, कोई जगह नहीं थी श्रीनगर में और पहलगाम में जहां टूरिस्ट नहीं होते थे। कश्मीर की इकानमी को पूरा तबाह किया गया।

तो मेरा कहना यह है कि—The security forces have done thier job और अगर मरकजी सरकार यह देखे के आइडियल सिचुएशन कहीं पैदा हो जाए, जब हालात ठीक हो जाएं—मुझे तो नहीं लगता है। इस वक्त रोज सेक्यूरिटी फोर्स का रोल यह रहा है—

They have contained militancy.

जहां तक एडमिनिस्ट्रेशन का ताल्लुक है, मैं नहीं समझता हूं कि एडमिनिस्ट्रेशन पर रिट जो है, वह सरकार का नहीं है, एडमिनिस्ट्रेशन पर रिट मिलिटेंसी का है। एक ऐसी स्ट्रेंट पोजीशन वहां है कि अगर मिलिटेंसी के साथ लोग भी न हों, तो उनको एक सिस्टम वहां का सस्टेन करता है।

यह बहुत गंभीर प्वाइंट है कि हम चाहें कि अगले छह महीने के बाद कहें कि हालात ठीक हो जाएं, क्योंकि वहां का सिस्टम उसको सस्टेन करता है। एक आदमी या जवान के पास, जिसके पास कुछ नहीं है, अगर उसको गन मिलती है, गन से उसको क्लाऊट, गन से उसको अथार्टी मिलती है, गन से उसको पैसा मिलता है, एक विशियस सर्कल है।

मैं उसी को तोड़ने के लिए कहना चाहता हूं कि पोलिटिकल प्रोसेस—अभी वक्त आया है, आज से

[श्री मुफ्ती मुहम्मद सईद]

सोचना शुरू करें, कश्मीर में पोलिटिकल प्रोसेस शुरू करने का वक्त आ गया है और उसके लिए सब से बड़ी बात जो प्राइम मिनिस्टर ने भी कह दी—यहां तो इसमें बड़ी कंट्रोवर्सी भी होती है। उन्होंने अपने स्टेटमेंट में यह कह दिया है कि—

There is no question of secession of Kashmir; there is no question of conceding independence to Kashmir; but within the consitutional framework, the autonomy can be enlarged. Ultimately, we have to have a dialogue with the people; ultimately, you have to involve the people of Kashmir in the democratic process. We cannot solve that problem by using gun only.

मेरा यह कहना है इसके लिए, कश्मीर की सिचुएशन को कैसे पोलिटिकली टैकल किया जाए, उसके लिए एक नेशनल कनसेन्सस का होना जरूरी है। फाचुनेट्ली कश्मीर एक ही स्टेट थी हिंदुस्तान में जहां अल्प-संख्यक मुसलमानों की मजार्टी होने के बावजूद, जैसा कि कंट्री का डिवीज़न टू-नेशन थियूरी की बुनियाद पर हुआ था—Kashmir was the only exception. The State being Muslim majority, acceded to India.

लेकिन आज लोगों की नजरों में यह जरूर है, हिन्दुस्तान में कश्मीर में मुसलमान अक्सरियत में है, यह हिन्दुस्तान के साथ नहीं।

अगर हम डेमोक्रेटिकली इसमें कामयाब हो जाएं, कश्मीर को फिर मेनस्ट्रीम में वापिस लायें, कश्मीर के लोगों को डेमोक्रेटिक प्रासेस में इन्वाल्व करें, तो मैं समझता हूं कि हिन्दुस्तान में सेक्यूलर ताकतों को उससे बढ़ोत्तरी मिलेगी।

इसी सिलसिले में कैसे इस चीज को किया जाए, जैसे पंजाब में जहां तक मिलिटेंसी का ताल्लुक है, साथ-साथ डेमोक्रेटिक प्रासेस और साथ-साथ मिलिटेंसी को भी डील किया गया है। कश्मीर में जैसा मैंने कहा कि कैटेलिस्ट होना चाहिए जो लोग मिलिटेंट्स इसमें बात करना चाहते हैं, जो सोचते हैं कि उनकी जो कोशिश है, वह फ्युटाईल है, उनके लिए वापिस आने का रास्ता है, क्योंकि पाकिस्तान ने सोच-समझी चाल की बुनियाद पर एक ही आर्गनाईजेशन को नहीं रखा है—

They have floated hundreds of militant organisations.

अगर कोई अर्गेनाइजेशन बात करना चाहती है ? दूसरे उसके पीछे पड़ते हैं। अगर कोई मिलिटेंट वायलेंस को शन करना चाहता है, छोड़ना चाहता है, तो वह उसके पीछे लग रहे हैं। तो मेरा यह कहना है कि जैसे असम में—पहले तो मैं यह कहना चाहता हूं कि इलैक्शंस कश्मीर में जरूर होने चाहिएं। ... हालात कैसे हैं, किस तरह से लोग पार्टीज़, मैं फिर कहूंगा कि वहां सब से बड़ी बात यह है कि इतना बड़ा अपहीवल होने के बाद भी, इतने लोग मरने के बाद भी वहां जो सैकुलर पार्टीज़ हैं, नेशनल कांफ्रेंस एंड कांग्रेस एंड अदर एलीमेंट्स मैं यह समझ रहा हूं उन लोगों की जो भी कैडर है नेशनल कांफ्रेंस का, कांग्रेस का, उनके ज़हनों में तबदीली नहीं हुई है। वह सही है कि गन के खौफ की वजह से वह सड़क पर नहीं आ रहे हैं। अब काश्मीर में यह सवाल पैदा हुआ है कि जो लोग सैकुलरिज्म के साथ हैं, जो नेशनल यूनिटी के हक में हैं, उनके लिए भी फंक्शन करने का एटमसफीयर आपने वहां बनाना है तो उसमें यह मैं समझता हूं इलैक्शन एक अगर, आज यह कह देंगे 6 महीने के बाद करेंगे तो आज कोई उसके लिए माहौल बनाना जरूरी है। दूसरा जो लोग चुनाव में हिस्सा लेना चाहें क्योंकि पहले भी जो चुनाव हुए कुछ चुनावों में धांधली हुई, उससे वे लोग, वे जवान, वह पार्टीज़, वे लोग जो डेमोक्रेटिक प्रोसैस में हैं, इंडिया का जो डेमोक्रेटिक सिस्टम है, उसमें जो यकीन रखते थे, उनको मायूसी हो गई। अब के बार चुनाव होंगे, क्योंकि किससे बात करें, क्या करें, अब जब हम कहते हैं कि डायलाग शुरू करना चाहिए, बात-चीत शुरू करनी चाहिए, लोगों को डायलाग में इन्वाल्व करना चाहिए, यानी किससे करें देअर आर हंडरड्ज़ आफ् आर्गेनाइज़ेशंस। इसलिए अगर चुनाव के ग्राउंड प्रिपेयर किया जाए और उसके बाद सारे लोगों को कहा जाए कि आप चुनाव में हिस्सा लें, जो भी प्रिज़ेंटेटिव गवर्नमेंट होगी, वह अगर काश्मीर को कोई प्रोवेंस अगर काश्मीर के लोगों को यह ख्याल है कि 1953 में जो पोज़ीशन उनको मिली थी उस वक्त डिफेंस, फोरेन अफेयर्ज़ एंड फाइनांस मिला, अटोनोमी जो इरोड हुई थी उसको वे फिर हासिल करना चाहते हैं दैट कैन बी नेगोशिएटेड। नेगोशिएशन किसके साथ जो इलैक्टेड असेंबली हो, इलेक्टेड रिप्रेज़ेंटेटिव हों। दूसरी बात यह भी है कि जैसे भंडारे साहब ने कहा, काश्मीर इज़ वाट काश्मीर ओनली, काश्मीर का मतलब बनिहाल से लेकर उड़ी तक नहीं, काश्मीर मीन्ज़ जम्मू-काश्मीर स्टेट। उसमें जम्मू के लोगों के एस्पिरेशंस अलग हैं, उसमें लद्दाख के लोगों के एस्पीरेशंस अलग हैं। एज़ ए होल सब चीज़ में पैकेज

डील देने की जरूरत है। उसके अलावा काश्मीर पैकेज यह ठीक है, कश्मीर में हालात ऐसे हैं वहां गवर्नमेंट आफ् इंडिया ने एग्रीकल्चर और हॉर्टीकल्चर को 1965 में वहां एरिया डिवैलपमेंट हार्टीकल्चर के लिए शुरू हुई थी। वहां एग्रीकल्चर है, वहां हैंडीक्राफ्ट्स है, लेकिन जितना भी इन्फ्रास्ट्रक्चर है वह सारा खराब हुआ है। पोलिटीकल डील के साथ जम्मू-काश्मीर में इकोनोमिक पैकेज भी कोई होना चाहिए। आज भी मैं कह रहा हूं काश्मीर के तकरीबन वही लोग जो अफोर्ड कर सकते हैं वे अपने बच्चों को डिफरेंट अलीगढ़, जामिया-मिलिया, बंगलौर मुल्क के सब शहरों में भेजते हैं। लेकिन जो गरीब लोग हैं दोज़ हू कांट अफोर्ड, अब ऐसी बात हो गई है, ऐसा लोग सोचते हैं कि हम अपने बच्चे को वहां रखेंगे तो वह उनके साथ चला जाएगा आतंकवादियों के साथ इसलिए जो खाते-पीते लोग हैं वे अपने बच्चों को यहां पढ़ाते हैं, लेकिन जो गरीब लोग हैं वे अफोर्ड नहीं कर पाते हैं। वह वहां तबाह हो जाता है। तो बेसिक मैलेडी इज़ एजुकेटेड अन-एंप्लायमेंट। हमारे जमाने में भी यह सुझाव हुआ था जितने भी यहां कंट्री के इंस्टीट्यूशंस हैं, मैडिकल एजुकेशनल इंस्टीट्यूशंस उसमें जैसे पहले एक जमाने में था जम्मू-काश्मीर के स्टूडेंट्स के लिए रिज़र्वेशन होता था, ऐसा होना चाहिए। मेरा यह कहना है कि इससे पहले भी प्राइम मिनिस्टर ने भी, होम मिनिस्टर ने भी, आल पार्टीज़ के जो लोग हैं उनकी मीटिंग बुलाई और बुलाने में हमारा भी एक डैलीगेशन प्राइम मिनिस्टर के पास बी.जे.पी. को छोड़ कर तमाम पार्टीज़ का गया और हमने बहुत कंक्रीट तरीके से सुझाव दिए। हमने कह दिया: It is an issue. Kashmir is a national issue. अगर कश्मीर को समस्या का समाधान हो सकता है, अगर कश्मीर की प्रॉब्लम को डेमोक्रेटिक तरीके से हल किया जा सकता है तो यह यहां की सारी नेशनल यूनिटी के लिए एक बहुत अच्छी बात होगी।

दूसरे जहां तक पाकिस्तान के प्रोपेगेंडा का सवाल है, आप उनके टेलीविजन को देख लीजिए जोकि सैटेलाइट पर आता है, उससे पता चलता है कि वह कश्मीर के बारे में कितना प्रोपेगेंडा कर रहे हैं। इसके अलावा मिलिटेंटस एक्सेसेस कर रहे हैं। पहले हमारे वक्त में भी यह कोशिश हुई थी। वाइस चेयरमैन साहब, मैं कहना चाहता हूं कि ये ज्यादतियां केवल मिलिटेंटस की तरफ से ही नहीं हुई हैं वरन सेक्युरिटी फोर्सेज की तरफ से भी एक्सेसेस हुई हैं। सोपोर में जो एक्सेसेस की घटना हुई, उसके बारे में वहां के गवर्नर ने हाइकोर्ट के जज से इन्क्वायरी का आदेश किया इसी तरह से मिलिटेंटस की तरफ से वहां जो कुछ लोगों के साथ किया जा रहा है, उसको भी हाइलाइट करने की जरूरत है। अल्टीमेटली मैं गवर्नमेंट से यही एश्योरेंस चाहूंगा कि वह हमें कम से कम यह बता दें कि आगे के दो महीने, छः महीने में वह क्या करना चाहती है, कैसे हालात बनायेंगे? अगर वह कोई पोलिटिकल प्रोसेस शुरू करना चाहते हैं तो उसके लिए कैसे ये ग्राउंड प्रिपेअर करेंगे, वह हमें आज के इस सदन में बता दें। शुक्रिया।

SHRI SUKOMAL SEN (West Bengal): Sir, it is unfortunate that we are again discussing the Kashmir issue in the Parliament for extension of the Pesident's rule in that State. For the last three years the situation is continuing in such a fashion that we cannot see a responsible elected Government, a popular Government, installed in the State. This is a very sad state of affairs. We have discussed many times here how it had happened, who were responsible for that and all that and I am not going to repeat them. The only thing is that it is now time that the Government made utmost efforts to bring the Kashmiri people to the mainstream of the country. But unfortunately some incidents are taking place in our country which are causing further alienation of the Kashmiri people and there has been a sense that India is not for them. Religious fundamentalism, majority fundamentalism, etc., are raising their heads in India. What has happened in the last few weeks? It is not helpful for bringing the Kashmiri people to the mainstream of the country. However, all efforts from the Government side and from our side should be made so that the damages that have been done could be undone to a certain extent. Now because of the stern actions taken by the security forces, the stern measures taken by the Government, it appears that the terrorists who are trained, aided and abetted by the Pakistan Government are, to a certain extent, feeling cornered and isolated from the people. That happened in Punjab also. That happens everywhere. That happens to any terrorist movement which is not ideologically committed. What is taking place now? The milliants

[Shri Sukomal Sen]

are extorting money from the people, from the same people for whom they are claiming to fight. Reports are there that girls are molested; they are raped; they are forced to marry the militants. All these things, to a certain extent, made the people to turn against the militants and the sympathy that was there earlier is declining today. It is not there at the same level as it was one or two years back. Now, if we are to believe some press reports, some terrorists want to surrender their arms and join the mainstream. I don't know how far it is correct. During the last sessioin we met a delegation compising. Members from both the Houses of Parliament visited. Kashmir. They held discussioins and advised not to proceed with the elections.

Although the Government was bent upon holding elections in Kashmir, after the visit of the Parliamentary delegation and its advice, the Government desisted. We, from our party also advised the Government not to proceed with the election procedures because the atmosphere was not favourable for holding elections. For holding elections, a free and fair atmosphere is necessary. Unfortunately, in the last election which was held in Kashmir, the people had a bitter taste. The elections were rigged and in the rigging many people were involved. Now it is to be seen that those things do not recur in future. Sir, I would not like to dwell upon the matter for long. I would like to draw the attention of the Government to the fact that it is time that they tried for some political process. Recently, a meeting of all political parties was held in Jammu where all advised the Government that the political process should be started and all political parties themselves decided that they should also, whatever may be their strength in that State, undertake some political process, political work.

Sir, I would like to say one more point. Sir, there are varieties of miltiant groups in Kashmir. They do not belong to any homogeneous group and homogenous idea or one particular idea. There are some who are pro-Pakistan elements. There are some who wants to be independent. There are some others who are in-between. All sorts of elements are there. It is the feelings of our party, not my personal feeling, that the Government should try for negotiations with certain groups which have differences with other groups who are hard pro-Pakistani. We must distinguish within these groups. Our party also advised the Government that we should try for negotiations with the JKLF because we must distinguish them. Not that they want that Kashmir should remain with India but there is some difference between them and some others who want that Kashmir should be annexed with Pakistan. This difference should be utilised by the Government and patient negotiations should be held by the Government so that even amongst the terrorists we can isolate one groups and take into confidence the other group and start some discussion. In this connection I would like to say that after what has happened in Kashmir and what has happened in India — now it is our feeling — Kashmir problem can be solved by providing wider autonomy to the State. Now a certain party is demanding abolition of Article 370. I think it is suicidal. It means that what Pakistan wants they are subscribing to the same thing. When they talk of abolition of Article 370 or when they indulge in majority communalism in India, it strengthens the hands of Pakistan and it strengthens the hands of terrorists, those groups who want that Kashmir should secede from India and join Pakistan. Sir, it is our considered view that the question of abragation of Article 370 cannot arise at all. On the contrary, the Govenment should think that wider autonomy can be given to Kashmir. With that wider autonomy only Kashmir can be retained in India and Kashmir can function as a part of India and can join the mainstream of India. Sir, In this conneciton, I would like to say that the security forces are doing a very hard job. I understand the

situation in which they are working. But at the same time when the police, the paramilitary and the security forces are asked to work in such situations, some excesses might he committed as in Kashmir where some excesses have been committed. The Sopore killing are known to everybody. In the President's Address also they have mentioned something about excesses in Kashmir. I would like to appeal to the Government that they should very sympathetically and seriously look into the matter so that the excesses are not repeated and whenever excesses are committed the Government should see to it that the affected families are properly compensated and the agony and anguish of the people is relieved. Otherwise, on the one hand they are getting alienated from the terrorists and, on the other, they are getting alienated from us. That is why our approach, the Government's approach and the secuirty forces approach should be such that the people do not get aliented. On the contrary, the people should come closer to us. The situation that has been created should be properly utilised and Kashmir should be brought into the mainstream of India.

**श्री सत्य प्रकाश मालवीय** (उत्तर प्रदेश): माननीय उपसभाध्यक्ष जी, करीब-करीब तीन वर्ष से जम्मू और कश्मीर में लोकप्रिय सरकार नहीं है। वहां की विधान सभा पहले निलम्बित की गई और बाद में भंग भी कर दी गई, जिसके सिलसिले में शायद वहां की हाई कोर्ट में मामला विचाराधीन है और आज स्थिति यह है कि जम्मू-कश्मीर में कहीं पर स्थानीय निकाय के प्रतिनिधि नहीं है, लोक सभा में भी उनके प्रतिनिधि नहीं है और राज्य सभा में भी केवल एक प्रतिनिधि को छोड़कर उनका कोई प्रतिनिधि नहीं है और जो एक प्रतिनिधि यहां हैं भी, वे सदन की कार्रवाई में किन्ही कारणों से भाग नहीं ले पाते हैं। वहां के राज्यपाल ने अपनी रिपोर्ट में यह कहा है कि राज्य में सुरक्षा के हालात गंभीर है क्योंकि पाकिस्तान मिलिटेंसी की सहायता कर रहा है और आतंकवादी गतिविधियां जम्मू संभाग में भी हो रही है। यह दुर्भाग्यपूर्ण है कि सरकार को एक बार फिर छः महीने के लिए राष्ट्रपति शासन बढ़ाने के लिए यह प्रस्ताव लाना पड़ रहा है, लेकिन मुझे खेद है कि मैं इस प्रस्ताव का समर्थन करने के लिए अपने आपको रज़ामंद नहीं पा रहा हूं।

एक दल विशेष वहां जो अनुच्छेद 370 है, उसको समाप्त करने की मांग कर रहा है। यह जो अनुच्छेद है यह संविधान की अस्थाई व्यवस्था है, स्थाई व्यवस्था नहीं है और कश्मीर की आज स्थिति ऐसी नहीं है कि वहां से इस अनुच्छेद को हटाया जाए। आज की परिस्थितियों में उसकी एक ऐतिहासिक आवश्यकता है और यह जो मांग की जा रही है कि अनुच्छेद 370 वहां से हटाया जाए यह मेरी अपनी नज़र में उचित नहीं है, यह अस्थाई व्यवस्था है, स्थाई व्यवस्था नहीं है।

अभी सुकोमल सेन जी अपने भाषण में जिक्र कर रहे थे, जिसकी चर्चा राष्ट्रपति जी ने अपने अभिभाषण में की थी कि वहां पर सुरक्षा बलों द्वारा कुछ अत्याचार भी किए गए और एक घटना सौपोर में हुई। कहा जाता है कि सौपोर में पहले दो जवान मारे गए, लेकिन उसके बाद सारे शहर में आग लगाई गई और दो सौ दुकानें या मकान जला दिए गए तेल या पैट्रोल डालकर। यह भी समाचार पत्रों में छपा कि 50 लोगों की उसमें जान गई है। गृह मंत्री ने शुरू में जब अपना प्रस्ताव रखा था, उसमें इसका कोई जिक्र नहीं है। घटना की सत्यता कहां तक है, मैं जानता नहीं हूं क्योंकि मेरा आधार तो सिर्फ समाचार पत्र हैं। तो मैं चाहता हूं कि गृह मंत्री जी जब सफाई दे तो इस बात का उत्तर दे कि जो सौपोर काण्ड हुआ था, उसमें कितने लोगों की हत्या हुई, कितने मकान गिराए गए और उसके बाद जो सुरक्षा बल है, जिसके बारे में राष्ट्रपति जी ने अपने अभिभाषण में भी चर्चा की थी कि कार्रवाई की जा रही है, इस बारे में क्या कार्रवाई सरकार कर रही है? खबरें आ रही हैं कि करीब-करीब दो लाख लोग वहां से हटकर के, मजबूर होकर के, जम्मू कश्मीर के कुछ लोग तो जम्मू में ही हैं और कुछ जम्मू से बाहर दिल्ली वगैरह स्थानों में आ कर बस गए हैं। तो मेरी समझ में यह व्यवस्था की जानी चाहिए कि जो कश्मीर लोग वहां से हटकर के दूसरे भागों में आ गए हैं उनको वहां वापिस भेजने की कोशिश सरकार को करनी चाहिए जिससे वह अपने प्रदेश में जाकर रह सकें। दिल्ली में जो उनका कैम्प लगा है वहां जाने का मुझे भी सौभाग्य मिला है और यह लोग जो जम्मू के या जहां के भी रहने वाले हैं, वहां उन्हें वापिस जाना चाहिए और निश्चित रूप से सरकार को इस संबंध में व्यवस्था करनी चाहिए।

[श्री सत्य प्रकाश मालवीय]

तीसरा विवाद मंदिरों के संबंध में चल रहा है। एक दल यह कह रहा है कि वहां करीब-करीब 200 धार्मिक-स्थलों को ध्वस्त कर दिया गया है या गिरा दिया गया है, लेकिन एक पत्रकारों का दल वहां गया था जिसमें श्री बी०जी० वर्गीश भी थे, उन्होंने इस बात का खंडन किया है और यहां तक कहा कि यह बात सत्य नहीं है। तो सरकार की तरफ से इस बात को स्पष्ट होना चाहिए कि वहां पर धार्मिक-स्थल गिराए गए हैं या नहीं, ध्वस्थ किए गए हैं या नहीं और अगर किए गए हैं तो उनकी संख्या कया है? योंकि इस बारे में बराबर समाचार पत्रों में खबरें आ रही है और जनता को सही समाचार नहीं मिल रहे हैं। तो मेरा सरकार से निवेदन है कि इस संबंध में भी सरकार स्थिति को स्पष्ट करने की कृपा करे। तीसरे, वहां पर संसद सदस्यों की एक समिति भी अक्टूबर के अंतिम सप्ताह में गई थी। उस समिति ने कदाचित गृह मंत्री को अपनी रिपोर्ट भी दी है और समिति के सदस्य प्रधान मंत्री जी से भी मिले थे। मेरी जानकारी है कि जो समिति के सदस्य वहां गए थे, वह वहां बाहर कहीं नहीं जा पाए थे, केवल जिस होटल में ठहरे थे वहां कुछ लोग आकर उनसे मिले थे। लेकिन समिति का बाहर जाकर वहां की साधारण जनता से बातचीत का कोई आदान-प्रादन नहीं हुआ था। वहां से आकर समिति ने अपनी क्या रिपोर्ट सरकार को दी है, इस संबंध में भी गृह मंत्री जी को सदन को बतलाना चाहिए।

वहां का जो रोजगार है, वह बिल्कुल चौपट हो गया है। वहां पर मुख्य रोजगार पर्यटन था और चूंकि वहां स्थिति ठीक नहीं है तथा वहां मिलिटेंसी है, आतंकवादी भी हैं इसलिए वहां पर्यटक जा नहीं पा रहे हैं। इसलिए काश्मीर के संबंध में सरकार की जो रोजगार की योजना है, उसके संबंध में भी विस्तार से सदन को जानकारी करानी चाहिए। वहां जो नवयुवक हैं, जो बेरोजगार लोग हैं, उनकी बेरोजगारी दूर करने के लिए सरकार की ओर से क्या प्रयास किए जा रहे हैं?

अन्त में, मैं जरूर कहना चाहूंगा और भंडारे जी की बात से मैं सहमत हूं कि कश्मीर के तीन हिस्से हैं - एक जम्मू है, एक हिस्सा घाटी वाला है और तीसरा हिस्सा लद्दाख का है। लद्दाख के लोग काफी दिनों से आटोनी फंक्शनिंग की मांग कर रहे थे। अभी हाल में सरकार ने बोडो लैंड के संबंध में एक फैसला लिया है और करीब 2-3 वर्ष पूर्व दार्जिलिंग के संबंध में इसी तरह का फैसला किया गया का और वहां पर स्वायत्तशासी संस्था की घोषणा की गई थी। तो लद्दाख के लोगों की जो मांग है, क्योंकि आम तौर से कश्मीर के संबंध में केवल कश्मीर घाटी की बात होती है और लद्दाख के लोग अपने को उपेक्षित महसूस करते हैं, इसलिए उनको भी राष्ट्र की मेन स्ट्रीम में शमिल करने की आवश्यकता है और उनके लिए कोई विशेष व्यवस्था की जाए और अगर इस मांग को सरकार स्वीकार कर सके तो मैं समझता हूं कि यह लद्दाख के नागरिकों के हित में होगा। इन शब्दों के साथ, मैं सरकार के इस प्रस्ताव का विरोध करता हूं।

SHRI G. SWAMINATHAN (Tamil Nadu): Mr. Vice-Chairman, Sir, if I have understood the previous speaker, Satya Prakash Malaviyaji, it appears to me that he said that he could not support the President's Proclamation for extension of the President's rule for another six months. I think I heard him right. He also mentioned about the Members of Parliament who went to Kashmir and he wanted to know what kind of report they gave. I was one of the Members who went to Kashmir during 27—29 October and our hon. Prime Minister wanted to know exactly the ground realities of Kashmir. He wanted to hold elections there and many Members of Parliament here during the previous time also wanted the Government to hold elections. So this Committee was constituted consisting of the Members of all political parties. I was also one of the Members who felt why this President's rule was being continued indefinitely, and why the Government was not holding election. That was my view also. But after we, the 15 member delegation, went to Kashmir, I changed my view and I came with a very sincere opinion that no election could be held in view of the gorund reality in Kashmir. As soon as I landed back at Madras, the Press correspondents were also asking me. We went as members of parliament, as a team and I asked them how I could tell them what happened in Kashmir. I did not want to say because we all met the Prime Minsiter and gave him a report. Suppose I had given a different report to the Press, perhaps it might have been misconstrued and, consequently, I

did not divulge the information to any of the people who asked me. But since many months have elapsed and we are going to have the President's rule extended for another six months there, which I very sincerely support, I may wish to say that as soon as we landed there, we were all accompanied by many military vans and in one or two places, even tanks were there, and I think, many vehicles with sten guns accompanied us. Almost every five feet, we had a constable. I had never been a VIP of that sort. Mostly, I have been a Member all through and except for being a presiding officer for some time, I have never been a Minister going in that kind of situation. Sir, every five feet, there was a policeman and there were about 5,000 to 10,000 policemen all through the way and nearly 40 to 50 vehicles had to accompany us. That was the situation in which we went and the previous speaker said that we were confined in a particular place. We were all in a guest house, opposite the Srinagar Club. We were all put in a very good place. The next day, we went to a place called Baramula. I think it is near Sopore where there was some problem of human rights violation and all that which was spoken by my previous speaker. It was so difficult for us to go because on that day, there was a *bandh*. Not many people were willing to come. There were some people who were willing to come and meet us. We could understand. But then they were not allowed by the militants. They said that if anybody went and met the Members of Parliament, if anybody opened his shop, they would be dealt with very severely. It was not that people were against the Members of Parliament. They had many grievances. They had their own grievances which they wanted to ventilate to the Members of Parliament so that they could convey them to the Home Minsiter. But they were afraid of the militants. That is the situation there. When we went there, we had a meeting there. We were not having many citizens to inform us what was happening there. We told the officers, "Imagine yourselves to be the citizens of this place and forget for some time that you are officers and tell us what is happening there." When we were having that meeting, some shooting was by militants started. For nearly half an hour, there was continuous shooting. I have seen, as a Tamilian, the firing of Deewali crackers but not this kind of shooting. It went on for about half an hour, ultimately, it became difficult for us to stay there and we had to get away to Srinagar and that too with a lot of difficulty, we went from there.

As soon as we landed, I told my securityman that we were happy that we landed in Srinagar. He said the cause of *action itself is Srinagar. Before we came* here, three or four days ago, there was a shooting all around in Srinagar too. It was not only on that day.

From there, we were taken to a Military Academy where we were able to see all kinds of weapons. In Tamil Nadu, we have heard only about AK-47 rifles used by the LTTE people. They said AK-47 is a grand-father's time gun. So many grand-children have now come about and I do not remember their names. So many sophisticated weapons were there. Even very small weapons, bombs were there, rockets were there. They were all not manufactured only in Pakistan. Some of them were manufactured in other countries also. There, all those were displayed.

We were able to see from some BSF people from Tamil Nadu. I am telling all this because some people have been talking about the human rights violations. Maybe, human rights violations are there and I do not want to absolve the Government for doing it. But the situation is so tough that you will not be able to manage because militants are being sent by Pakistan, fully armed. A proxy war is going on and the people are not co-operating with the police there. That is the situation there. In Punjab, the situation has improved because the police were able to get intelligence information

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from the people concerned. Now, more and more people are coming forward and so the police are able to target the leaders in Punjab. They are able to go after them and if there is a confrontation, they are able to liquidate them. The difference in the ground reality between Kashmir and Punjab is because the people in Kashmir are not coming forward with intelligence information. Our BSF people from Tamil Nadu were saying that it was becoming very difficult for them because we did not know under the given circumstances, who was a militant and who was not. Sometimes, it so happens that in a particular house, the militants hide themselves. Nobody will say that militants were there. There police have to go wholesale. They have to ransack the whole place and then find out. When these BSF people were there, some shooting had commenced. They were afraid for their lives. Therefore, the problem of human rights violation is two-fold. There is no point in accusing only the Government. Some organisations have been writing saying that the Government is exceeding its limits. That is not true. The Government does not want it. In that ground reality, what exactly is to be done is also another problem. The hon. Minister is there. You may give me five more minutes.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Three minutes only.

SHRI G. SWAMINATHAN: You please allow me five minutes because I was a Member of the delegation. When we went to Baramula, we found many things. Officers were not very happy. Some of the officers, at least, are not very happy because they themselves are being treated shabbily by the Police because once you give the powers to the Army, the police, these people's behaviour is not entirely in our hands.

I myself and the other Members of Parliament have experienced it the other day, on the Rally Day at Delhi. When we came to Parliament how they treated us! It is not because the Home Minister or the Prime Minister wanted the Members of Parliament to be treated like that. They gave the orders to them, "Be strict." That is all. But the police people could not distinguish between the Members of Parliament and the ordinary citizens. It is because a Member of Parliament does nt look different from the ordinary citizens. Ordinary citizens and the Members of Parliament look the same to the policemen. If I violate the rule and they ask for my identity, I have to show my identity card. Similarly, if as a Member of Parliament I am going in a train and if the TTE asks for my identity, I have to show. It is because they may not know me. In this kind of a situation, if I am asked to show my identity card, I have to show. Otherwise, how is he to know my identity? He is not like the man standing on the gate here in the Parliament House who would have seen me several times. To the policemen, all are the same. Whether it is G. Swaminathan or Mr. Jain, all are the same. I may belong to the ADMK and another man may belong to the BJP. So, this is the situation under which they have to work. What I am saying is that these officers themseles are sometimes harassed. Even the Government officers themselves are not feeling safe. These people have been arrested and they have been interrogated also. So, these people feel that the support of the Govenment is not there. Therefore, the Home Minister should see that, first of all, the morale of the officers there should be improved. That is one thing.

The second point is that when we went there, we found that some of the essential commodities were not reaching the people. It was only forty or fifty miles away. When we went to Baramula, the only absolutely courageous person we found was Mr. Ghulam Nabi Azad because he had gone there several times. But the Members of Parliament are not that conversant with the place. He knows the track and he knows the people. Moreovre, his father-in-law's place is

there and he seems to be very courageous. We found there that some of the essential commodities had not reached even this distance of fifty miles. The people were complaining that they could not get rice, that they could not kerosene, and all that. This kind of a problem is also there. We also told the Governor that some of the officers were not paid their salaries. Mr. Saxena, is the Governor, there. We told him that some of the officers there had not been paid their salaries for two or three months. We spoke to the Governor, he asked, "How could it be? We have been disbursing the salary to everybody." So, there is lack of communication also, from forty or fifty mile and that is why this happens. The point that I would like to make is that the ground reality is not amity between the people and the Government of India. Perhaps the mind of the people has to be changed. Otherwise it may happen that we will occupy the territory of Jammu and Kashmir, the land of Jammu and Kashmir we may keep but we may not be able to occupy the mind of the Kashmiris. Unless we have the mind of the people there, unless we do something about it, even though we may be continuously be in occupation of Kashmir, nothing much can be done on this matter. So, I would really say that an important communication channel has to be opened with regard to what we are doing, why we are doing. These things have to be informed to the people. That is the point.

The other important point is that many people, some parties, some of our friends, have been saying that we have been giving a lot of assistance to them. Even the other day, we saw in the papers that the assistance to Jammu and Kashmir was ten times what had been given to the other States. But there is a Japanese proverb. If you give a fish to a man, he may take it and if you give it on another day, he will take it. But then you have to make him know how to catch a fish. If he knows the art of getting a fish, most probably he may catch fish everyday. So, in Jammu and Kashmir, ... *(Interruptions)*...

SHRI M.A. BABY (Kerala): Sir, while speaking, my honourable friend, Shri G. Swaminathan has said, "occupation".

SHRI SUBRAMANIAN SWAMY: That is wrong. I also wanted to say that. But I did not want to disturb him.

SHRI M.A. BABY: I think this has been stated inadvertently. I do not think it has been said deliberately. If it has been very deliberately stated, I think it won't be fair.

SHRI SUBRAMANIAN SWAMY: That is right.

SHRI M.A. BABY: That usage, for the record of the Rajya Sabha, has to go because, otherwise, it will send some wrong signals.

SHRI SUBRAMANIAN SWAMY: Absolutely.

SHRI M.A. BABY: Therefore, Sir, I would like to get those words, depending on what Mr. Swaminathan meant, are withdrawn. This is a very important point.

SHRI G. SWAMINATHAN: I withdraw that word. I only meant to say that we are in hold of the territory.

SHRI M.A. BABY: It is our territory.

SHRI SUBRAMANIAN SWAMY: It is our territory.

SHRI G. SWAMINATHAN: We are there and our people are there with military forces. The only clarification that I want to make is that we should occupy the mind of the people there, the mind of the people should be occupied by the good things we are doing. That is what I meant. So, if I have inadvertently used that word, I will withdraw it now. The only point that I wish to make is that over a period of time we have done much for Jammu and Kashmir in the sense that a lot of assistance has been given. Assistance is there. But when I see even

[Shri G. Swaminathan]

communication, even transport, we do not have a rail service between Jammu and Srinagar. I do not know why. When I went to Europe, there are many hilly places and even in the Alps, they have been able to have tunnels in the mountains and they are able to have the rail service. But, Sir, between Jammu and Srinagar, you have to still go by bus and sometimes if you are not able to go by bus, you can go only by air. So, we should have developed rail communication between Jammu and Srinagar. If it had been possible to do so by way of a tunnel, probably there could have been integration between Kashmir and India. That kind of integration has not been established. I would still recommend that if it is possible, you can do that.

Then, Sir, another very important thing is industrialisation of Kashmir. I am very happy that recently our Finance Minister has given a lot of concessions. But industrialisation of Kashmir should have been taken up with a lot of interest over a period of time. If there has been a lot of industrialisation in Kashmir, most probably, this kind of a situation of unemployment and young people going to Pakistan and coming back would not have been there.

I will conclude, Sir, by making only three points. I will say in a nutshell that the position can be improved if there is a dialogue with Pakistan. Now we see that the other countries the USA, the UK and Germany—the other day we have been talking to the German Chancellor—are now pressurising Pakistan in favour of India, not because they are interested in us. They are interested in our market now because we have got a large market and now we are opening our market, and they want to have a market established in India. And they now see the real truth of the matter and want to support us. That will be our additional advantageous point. With that end, most probably with the help of those people we may be able to consolidate our position in the sense that we will be able to have a meaningful talk with Pakistan with the help of other countries.

Sir, I would like to ask one thing. In the 'Indian Express' and in some other papers I read a news item today. I think the Home Minister had made a statement, and they wanted to know the meaning of the statement. It appears that he has stated in Parliament or outside that we are willing to give more autonomy to Kashmir. I do not know in what context he has stated that because the papers have been asking as to what kind of more autonomy the Home Minister is thinking of giving more to Kashmir. Sir, unless we have the external forces coerce Pakistan to our benefit, most probably we may not be able to achieve much over a period of time. And I hope the situation is changing, and will be changing for better over a period of next six months. And I hope both inwardly by our Foces and also externally with the help of other countries we may be able to get into a sort of a position where we will be able to move in the direction of democracy and try to achieve more in next six months time and was not continue with the same Proclamation of President's rule for another six moths. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Shri Chaturanan Mishra—not here; Shri Khaleelur Rahman—not here; Shri Subramanian Swamy—your time is six minutes.

SHRI SUBRAMANIAN SWAMY: It should be more. I represent the United Parliamentary Group. It should be at least three times what Mr. Swaminathan took.

SHRI G. SWAMINATHAN: We have got six Members. He has got only one Member.

SHRI SUBRAMANIAN SWAMY: I do not have one Member. You do not know. I am speaking on behalf of the United Parliamentary Group.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): You can start now.

SHRI G. SWAMINATHAN: Mr. Subramanian Swamy speaks on behalf of everybody, Sir. On whose behalf he talks, we are not able to understand in Tamil Nadu.....

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Subranamian Swamy, you can start now on Kashmir.

SHRI G. SWAMINATHAN: Sometimes he says that he is speaking on behalf of the Prime Minister and the Congress.....

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Subramanian Swamy is going to speak on Kashmir. Don't interrupt him.

SHRI SUBRAMANIAN SWAMY: Ask him not to interrupt. He thinks it is Tamil Nadu Assembly and he can speak.....

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): I told You. You have to speak on Kashmir now.

SHRI SUBRAMANIAN SWAMY: Okay. Although I have a lot of time with me, I would only make two points. I will not go on a perambulation on the subject. The First most important point I would like to say about Kashmir is the kind of disinformation that goes uncontradicted by the Government. This must stop. The Government must effectively counteract this disinformation. I quote one instance of a massive disinformation by Mr. Advani when he described on the international TV that 20 temples were destroyed in Kashmir. And if they raised this voice and the BJP did this propaganda within India and abroad, the Government of India did not even bother to reply. There were two magazines, *Frontline* and *India Today* which have conducted a survey and they have taken photographs to show that only two were damaged and they have been repaired and all others are in tact and were not touched. Mr. Vice-Chairman, this is such an important area where much of our position in the world and within India is hurt by our failure to meet disinformation, and I would like the Home Minister to set up a special department. Of course, the Home Ministry is full of RSS elements; they may not allow him....

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P.M. SAYEED): Including us?

SHRI SUBRAMANIAN SWAMY: You are all reading reports prepared by them. I can name the members of the RSS who are in his Ministry, if he is prepared to take note of it. But that apart; I think the Home Ministry should set up a cell by which this disinformation is immediately contradicted. That is one thing that must be made clear. This disinformation afflicts us indirectly. Just now, Mr. Swaminathan was saying that we have to occupy the minds of the Kashmiris. First of all, let me say that in Kashmir, the word 'Kashmir' means Jammu; it means Ladakh; it means the Valley. In fact, it is only in the valley that there is some disaffection. Rest of Kashmir is in total support of India. In fact, Kashmir is not even a Muslim majority State. This is international propaganda that it is a Muslim majority State. It is about fifty-fifty, and it is only in the Valley that you have this disproportion. Therefore for him to say that Kashmir people are against India.....

SHRI G. SWAMINATHAN: No, no, I have not said it. Unnecessarily he is quoting what I have not said. In the morning he told something and then whatever he says, we have to take it with a grain of salt. In the morning he said .....*(Interruptions)*..... that our Chief Minister is going to Rally along with Mr. Advani.....

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Subramanian Swamy, please speak on the subject. Mr. Swaminathan has withdrawn that word.

SHRI G. SWAMINATHAN: Sir, the subject is the President's Proclamation.

[Shri G. Swaminathan]

Why should he say that Swaminathan has said this or that?

SHRI SUBRAMANIAN SWAMY: He said about occupying the minds of the Kashmiris. There is nothing to occupy. The fact of the matter is that the overwhelming majority of people in Kashmir.....

SHRI G. SWAMINATHAN: I am not a doctor from Harvard and my English may not be so.....

SHRI SUBRAMANIAN SWAMY: But your leader has the doctorate.

SHRI G. SWAMINATHAN: I am Swaminathan as leader of the party, and if he has got a quarrel with Dr. Jayalalitha, he can go there and quarrel. Why does he quarrel here?

SHRI SUBRAMANIAN SWAMY: I wanted to say—and I said innocently—the fact is, due to this disinformation, even a man as patriotic as Mr. G. Swaminathan has said in this House that Kashmiri people are against...

SHRI G. SWAMINATHAN: No, no, I have not said.

SHRI SUBRAMANIAN SWAMY: All right, if you have withdrawn it, it is good. I would like to say that the general impression the world over is that Kashmiris are not in union with India. That is not correct. In fact, even in the Valley, the silent majority is with us. But because of certain stupid acts that took place when Mr. V.P. Singh was the Prime Minister, particularly when the Home Minister's daughter was kidnapped and the surrender to the terrorists that took place at that time, was the reason why terrorists got the upper hand and it continued, because I know in the CCPA when I was a Minister, I have dealt with this issue and I know how much our forces felt that one single act had set us back. So I would like to say that in this area, the shibboleth about Kashmir should be removed. It is a multi-religious State; it is not a Muslim State. It is like the rest of India. Therefore, it should be projected that way. The majority of the people are still Indians. They regard themselves as Indians. The fact of the matter is, perhaps, due to the neglect, or, due to the fact that you foolishly went to the United Nations and made it an international issue, an uncertainty has been created about the status of Kashmir. This uncertainty in regard to the status of Kashmir should be removed as soon as possible.

Statements are coming out that we are ready to give autonomy, that we are ready to talk to Pakistan, etc. There is nothing to talk. The only thing that is there left to talk with Pakistan is as to when they are going to return the remaining portion of Kashmir back to us, which they are holding in physical occupation. This is my first point.

My second point is in regard to the Kashmiri pandits. One of the greatest tragedies which has taken place in Kashmir is the driving away of 3 lakh Kashmiri pandits from the valley. We talk about ethnic cleansing in Yugoslavia and other places. But these people are living in Jammu in terrible conditions. The death rate in these camps is three times higher than the national average. The BJP which began exploiting the issue, which made a big propaganda about them, has forgotten them because it has now got the Mandir issue.

SHRIMATI SUSHMA SWARAJ: We have not forgotten.

SHRI SUBRAMANIAN SWAMY: You have forgotten them. (*Interruptions*) The BJP which started exploiting the issue has now forgotten them.

SHRI VISHNU KANT SHASTRI: Mr. Swamy always talks beside the point.

SHRI SUBRAMANIAN SWAMY: Did any of their spokesmen, today, refer to the Kashmiri pandits issue? They did not refer. Why did they not refer? Because they have forgotten them. Sir, 300,000 Kashmiri pandits are living in Jammu in abhorrent conditions, in terrible conditions. Therefore, the

Government must make some efforts to make them go back. If you cannot create conditions by which they can voluntarily go back, I would suggest to the Government to create one district in the valley where these Kashmiri pandits can be settled. You should protect that district with the help of the Army. What the Kashmiri pandits call as *Panoon* Kashmir should be created. It is necessary that the human rights angle should not be forgotten and the Kashmiri pandits should be enabled to go back. If necessary, the Government should create a separate territory for them in the valley so that we can tell the whole world that so far as the question of human rights is concerned, we are even-handed, whether they are Muslims or Sikhs or Christians or Hindus. Thank you.

PROF. SAURIN BHATTACHARYA (West Bengal): Mr. Vice-Chairman, Sir, the question of Kashmir, once again, is before us. In the meantime, we have had so many propaganda materials for us, with the central theme that Kashmir is now quite fit for coming back to the political main-stream, that the political process could be restored, etc. These things had been told. A parliamentary team had been sent. Mr. Swaminathan gave a very vivid description as to in what circumstances the parliamentary team saw the situation in Kashmir.

In the first report of the Governor, I think, in 1990, the then Governor—I do not know whether the then Governor is in our midst now—said that the condition in Kashmir was very grim. This was the condition stated to be existing then. People could not come out for the scare of the gun. Grassroot-level contact was impossible. Normal political functioning was at a standstill because of the scare of the gun. That was the report. The question is whether the situation, today, is very different, in spite of the propaganda—I should say, innane propaganda—through our television and by the spokesmen of the Government. It is no use creating a scare psychology, that, goes without saying, but at the same time, it is equally bad to give a rosy picture of the otherwise thorny picture. In Kashmir the situation continues to be thorny. There is the problem of Kashmiri pandits who had to leave Kashmir. There are problems of various other groups, religious groups. There are conflicts between the Buddhists and the Muslims. Even there are conflicts between the Buddhists and the Hindus. There are problems between the people of Jammu and the people of Kashmir Valley. How to reconcile? These naughty problems continue to remain. Shri Swaminathan was correct in saying that it won't be enough to proclaim, just proclaim, from the housetops, that Kashmir is an integral part of India. It is all right legally, constitutionally, but the situation will not change unless the willing allegiance of the people the whole of Jammu and Kashmir, particularly those of Kashmir valley, is obtained. Certificates from the representatives of big or small countries coming to India are always there that the problem should be solved within the four-corners of the Simla Pact, through bilateral discussions, but these certificates in one sense reveal our weakness also. If we had been very sure of our ground, such repeated certificates from the international community would not have been necessary. The British Prime Minister stated these things, but would he make a similar statement if there was a move on the question of plebiscite in Kashmir? I doubt very much. He wanted to be pleasant with India but he would not do so at the cost of some other States. So, the question is, our approach towards Jammu and Kashmir must be much more realistic. This continuance or extension of the President's rule is bad for our morale for the morale of the people of Jammu and Kashmir. But what is the way-out? The political process could not be restored. If the remarks which have been attributed to the Home Minister are correct, he will have to explain, what is meant by more autonomy to Kashmir.

[Prof. Saurin Bhattacharya]

He will have to explain in concrete terms. I do not think he has the type of Bodo autonomy in mind for the people of Kashmir. This will not suit the situation prevailing in Kashmir. In Kashmir it is essentially not the question of autonomy which was given to Kashmir by their own Jammu and Kashmir Constitution. That has not served the purpose. In this background, where is the question of autonomy, where will it lead us? The Home Minister will have to clarify this if he has made such a statement. Otherwise, there would be more confusion in the already confused situation.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Jagmohan. There are only three minutes for you. Try to be brief.

SHRI JAGMOHAN (Nominated): I will try to be very brief. If you permit me, I will give whatever suggestions I have to give. You will kindly permit me to make those suggestions.

Whenever the Kashmir issue comes up for consideration in this House, I ponder over the futility of speaking, and that porbably restricts my time also. The words of a German poet come to my mind: "It has happened, it goes on happening and it will happen again."

The Government has shown no inclination to look into the roots of the problem and have preferred to resort to wishful thinking. Consequently, the stark realities continue to stare us in the face.

Even to concrete and constructive suggestions, there is practically no response. For example, I have repeatedly pointed out that false propaganda is causing grave damage to India's image abroad and is causing misundersting. The people get worked up an join with militants. Some effective action should be taken to contain it. I have here with me a photocopy of an advertisement which appeard in "THE INDEPENDENT", London, on the 28th of January, 1993. I will, with your permission, put on record a photocopy of that advertisement, if you permit it. It says many things, but I will just skip them over because of paucity of time. It says that much harassment is being done to children and women. All types of allegations are there. For example, it says that the limbs of the people are crushed by heavy rollers throughout the land. It says about pain, indignity, sexual torture and so on. All types of allegations have been mentioned. I give a copy to this House.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): No, you cannot lay it.

*SHRI JAGMOHAN: All right, if it is* not permissible. A photocopy is there in the London magazine. If anybody is interested, he can see it. But I am making only a point subject to your permission, if you are permitting it.

My point is this. May I know from the Government what specific action it has taken to undo the damage that has been done by the type of vicious propaganda? Particularly in this case, has it issued a counter-advertisement in London?

Several times I have suggested to the Government, through this august House, to circulate a tabular statement listing each and every allegation of the so-called human rights organisations and self-styled progressive individuals and the versions of the State and the Central Government with regard to those allegations, so that the matter could be discussed in specificities and the public could judge the reality for itself. If my suggestion had been accepted, I have no doubt that quite a few organisations and individuals would have by now stood discredited. In a typical case, at personal cost and labour, I took a Weekly to the Delhi High Court, wherein the party admitted that the entire interview in question had been fabricated and circulated. That fabricated interview is still being circulated in Lodon and in the USA, and the Government has not taken the trouble to tell the

people that the Court has declared it to be a fabricated document. Likewise, I have repeatedly said about Kashmiri *pundits* and also about the actual advertisements which have been appearing in the "AFTAB" and the "ALSAFA", but the Government has taken no concrete measures to counter them.

I have also said this. Here is a case wherein an affidavit by Mufti Baha-u-Din, an ex-Judge of the Jammu and Kashmir High Court, whose unfortunate activities compelled Mrs. Indira Gandhi's Government to transfer him to Sikkim, were being distributd in thousands by Pakistani propaganda machinery in the United States and the U.K. In this affidavit, Mufti Baha-u-Din has, *inter alia*, asserted:

> "That, nearly forty-two years back, India annexed the Jammu and Kashmir State by manipulation against the declared wishes of the people...."

It goes on saying so many things. It is a clear case of sedition, and I wanted to quote the relevant section about sedition; because of lack of time, I will skip it over. But why has not the Government prosecuted Mufti Baha-u-Din? How is he still drawing his pension from the Indian exchequer? How could notices be issued under the Constitution which is not recognized by him? Compassion and catholicity are one thing, timidity and permissiveness are quite another.

Now, similar casualness persists with regard to so many other things, but the issue is, if you do not prosecute and that man goes to London and says all such things—an ex-Chief Justice of a High Court says such things—it has a lot of propaganda value: it creates revulsion in the minds of th youth that India is doing such things, and that swells the ranks of militants. But the Government is just not doing anything about it. I had mentioned this a number times before.

While on one hand Government is taking hardly any worthwhile action to curb highly injurious propaganda, on the other it is carrying out an exercise in self-deception. Hard and cruel facts are being glossed over...(Time-bell)...Sir, I will take one more minute.

In 1992, security forces were attacked 3,143 times, causing 177 deaths of the members of these forces. I don't think our propaganda machinery is telling people outside the country what the militants are doing here. But it is only the other side of the picture which the outsiders get.

In Jammu, of late, the shadows of terrorism have fast lengthened. For instance, on October 7, 1992 a bomb blast had killed 15 and injured 50 persons. On October 31, 1992 another bomb blast had killed 20 and injured 30 persons. For the Jammuites, October 1992 turned out to be a month of blood and tears, and insurgency has acquired a stronger grip, particularly in the district of Doda.

I would once again suggest that the Government should fully recognize the inconvenient reality, rise above past reflexes and adopt a positive and practical strategy. The ten planks of the strategy should be:

(i) Put strong and sustained pressure on pro-Pakistani-note the Pro-Pakistani-terrorists and their collaborators.

(ii) Deal strongly with the subversive elements within the services and take serious notice of the absentees from the offices, particularly on the days when calls for hartals are given by pro-Pakistani outfits;

(iii) eliminate indirect flow of aid through civil works and recruitment on the 'diktats' of the militants;

[Shri Jagmohan]

(iv) expose the disinformers in some concrete cases by moving the courts and speedily prosecuting persons like Mufti Baha-u-Din whose propaganda through affidavits tends to acquire authenticity abroad;

(v) organize counter-guerrilla groups;

(vi) activize the 'designated court' at Jammu;

(vii) concentrate first on rebuilding civil administration and establishing ground control so that the Disturbed Areas Act and the Armed Forces (J & K) Special Powers Act, 1990 could be withdrawn;

(viii) bring home to the people of the Valley that article 370 of the Constitution is not in the interest of the poor Kashmiris;

(ix) keep an honourable line of retreat and route to power through free and fair elections, open to comparatively moderate elements amongst the militants, and not take any action which would have the effect of creating an impression that the Government is predisposed to bringing certain individuals to power; and

(x) provide liberal relief to the Kashmiri Pandits and immediately solve their problems, particularly of the migrant-employees.

Sir, I will take only one more minute, if you permit me, as otherwise my proposition will not be complete.

I would suggest, most humbly, that a strategy on the above lines had been formulated and followed by me with some success. I had placed special emphasis on reconstructing the totally broken-down structure of civil administration and did not allow introduction of the Disturbed Areas Act and the Armed Forces (J & K) Special powers Act. Simultaneous to putting an all-pronged pressure on the militants, I had dissolved the State Assembly to provide the line of retreat to moderate elements. An objective assessment of last several months' experience would convince the Government that such a strategy would have to be adopted and implemented resolutely.

About the destruction of some religious places it has been mentioned. If you like I can give the figures, which I know personally. About the destruction of religious places in the Valley, I have absolutely no intention of taking any position with regard to the controversy that is currently raging on the subject. But the dictates of justice and truth demand that I should tell this august House what I personally know.

In February, 1986, about two dozen temples were destroyed or damaged and another 21 desecrated. Villages like Wanpooh, Dhanar, Bhangand and Lokbhavan were badly affected. I have personally visited these areas. So, I can say so. The numbers given sometimes differ as some reports include slightly damaged temples and some don't. These facts stand confirmed by (i) the contemporaneous official records; (ii) reports of special correspondents of the *Hindustan Times, the Statement, The Hindu, the Telegraph, etc.*

**श्री राम नरेश यादव** (उत्तर प्रदेश) : कुछ मस्जिदों को नुकसान पहुंचाया गया था या नहीं? यह जानकारी है या नहीं?

**श्री जगमोहन** : मस्जिद की कोई बात नहीं थी।.....(**व्यवधान**)

**मौलाना ओबेदुल्ला खान आजमी** (उत्तर प्रदेश): अभी उधर बाबरी मस्जिद के गिरने के बाद प्रोपेगंडे हुए कि .....(**व्यवधान**)

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Obaidullah Khan Ji, he is going to conclude now.

SHRI JAGMOHAN: It was during the Governor's Rule (March 7 to November 6, 1986) that temples were reconstructed.

I would like to point out that the assertion recently made by a fortnightly

that G.M. Shah's Ministry went out of office on account of destruction of temples is no correct. The Ministry was dismissed on several grounds.

There are a few more points.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): No. The time for you is over.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): On the extension of the President's rule in Jammu and Kashmir, there have been different points of view expressed by hon. Members from both sides of the House. Each in his own way tried to justify his point of view, but there is no running away from the fact that the Jammu and Kashmir problem will have to be treated as a national issue. That is my first request to all the hon. Members. We may have differences of opinion about the method of handling of certain situations, but on this important national issue, which, according to me, is a symbol of secular polity of the country, I am pleading with all the hon. Members to kindly forget all the differences and try to see that we try to reach a consensus. There have been problems. Some political parties have been trying their best to acentuate the issue. My request to all those friends will be to try to understand the implications of what they are trying to do. Ultimately, are we or are we not interested in winning over the hearts of the people of Jammu and Kashmir and in bringing them to the mainstream? The kind of alienation that we find that some people are trying to spread in that area, unfortunately is going to create a problem for the entire State. Was this the proper time for some of the political parties to go over to Kashmir to show that they are the only patriotic party who are trying to hoist the national flag in that area? Is it a fact or is it not that this is not the first time that the national flag was being flown in that area?

But some hon. Members of this House, specially went up to a particular point and thereafter when they could not go further in the Valley, the leader of their party requsted the Government: "Please make necessary arrangements at least for me if not for all the entourage. At least for my own convenience please make necessary arrangements as I must keep my work that I have promised." We said: "We don't have any objection". There were 250 or 300 people with him. He alone had to be provided with a helicopter or a plane. What the rest of the people said about him is a matter which I would not like to go in. But what is the kind of....

SHRI M.A. BABY: Chavanji, at that time you did not go back on your word in giving protection to somebody to hoist the national flag. But later on they ditched you. They did not keep up their word. There is some difference.

SHRI S.B. CHAVAN: I would not like to comment on what the hon. member has said. But the fact remains that here was some bravado which was performed by the President of a political party going all alone and speaking before whom? They were all security men and none else from the public, not even one person. What was the idea in creating this kind of an incident? What was the exact purpose? I can well understand if there were any motives behind the whole thing. Certainly, I would like to understand what exactly was the motive. But in order to create some kind of an impression in the mind of the people that they were not being trusted as loyalists, they were not loyal people, he has gone all the way to hoist the national flag, that is something which in fact does not give credit to any political party. On the other hand, we have been mainly responsible for creating a feeling of distrust among the people, among the Kashmiris. *(interruptions)*...

DR. NAUNIHAL SINGH (Uttar Pradesh): Please reply to the debate and do not point out that thing. That is

[Dr. Naunihal Singh]

not vital to the issue here ...*(interruptions)*...

SHRI S. B. CHAVAN: Please try to understand it.

**श्री कैलाश नारायण सारंग:** चव्हाण साहब, यह वही पार्टी है जिसने काश्मीर बचाने के लिए डा० मुकर्जी का बलिदान किया। हम केवल नाटक करना नहीं जानते, काश्मीर को बचाने के लिए डा० मुकर्जी का बलिदान इसी पार्टी ने किया है, समझे आप।

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): I am not allowing any person. Let the Home Minister reply. Kindly take your seat.

SHRI S.B. CHAVAN: In this context it will be necessary for me to mention about the demand for abrogation of article 370 when we are fighting a proxy war with Pakistan. When they are supplied with all kinds of weapons, when training camps have been opened in the Pakistan-occupied Kashmir area, when they have been providing the entire protection that is necessary, in this background he has not only gone in for this kind of a function but the purpose of this journey right from Kanyakumari to Srinagar, was to preach what? To preach for abrogation of article 370. Now, we will have to understand the implication of article 370. When the accession took place, barring the three subjects which Maharaja Hari Singh of Kashmir has mentioned, article 370 and article 1 were the only articles of the Constitution which, in fact, were agreed to at that time.

A special procedure has been prescribed under Article 370. If any of the provisions of the Constitution are to be made applicable in the case of Jammu and Kashmir, we have to follow that procedure. If we were to abrogate Article 370, then what would be the link between the two Constitutions? Jammu and Kashmir has its own Constitution and we have our Constitution. They only link is Article 370. If that is snapped, then the natural consequences, we have to understand. That is why I would like to explain my stand which has been quoted by an hon. Member, Shri Swaminathan. There is a lot of misunderstanding about some statement. *(Interruption)*.

SHRI KRISHAN LAL SHARMA: Should they have another Constitution? Is there any precedent of any other State having its own Constitution? Why is this there for Jammu and Kashmir?

SHRI S.B. CHAVAN: Hon. Member, Shri Sharmaji, I can argue with you. Is this the proper time for pleading all these cases, when we are fighting in that area with Pakistan, not with Jammu and Kashmir people? We are trying to win over the hearts of those people and at that time you consider it necessary that all these issues should be raised! Are they going to win over the people or are they going to alientate them more from the mainstream? That is the point which, I am sure, you will be able to understand.

SHRI KRISHAN LAL SHARMA: I would simply ask whether we have been able to win over the people through Article 370, whether it has got any value.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): You hear the Minister first.

SHRI S.B. CHAVAN: In this context, what did I say in the Lok Sabha? A point was raised by some hon. Members that the quantum of autonomy had to be gone into. I have written to the leaders of all the political parties that I would like to discuss the situation in Jammu and Kashmir. It will be our endeavour to see that we are able to find an amicable solution to the matter. If we can find a lasting solution, certainly, the Government will not be a verse to greater autonomy being granted to Jammu and Kashmir, provided that I am convinced that this is going to be the last thing. If we are going to concede, at least I must have the satisfaction that this is the final solution in the matter. I agree with what Muftiji has said. Whom to talk to? In Jammu and Kashmir, there are a hundred groups. And, if I talk with one,

the JKLF, which is pleading for the independence of Kashmir, if we were to concede, the Hizbul Mujhadeen, which is interested in the merger of Kashmir with Pakistan, and the hundred odd small splinter groups are bound to react saying, "We do not accept this". So, the only solution lies in talking to a representative Government. So, our effort will have to be, and exactly is, to discuss with the leaders of political parties. We should meet together and try to find out as to what the grounds are on which we can possibly approach some people. I am not averse to talking with the militants either. If it is necessary, we are prepared to talk to them provided that they agree that they would abjure violence and they declare that they believe in our Constitution. These are the two points on which they will have to agree. The rest of the things are certainly negotiable. We can discuss with them and thereafter, if it becomes necessary, with their cooperation, certainly, we can try to find a solution. I can assure this House. I have assured the other House also. I can assure them that free and fair elections can be held, as I have promised in the case of Punjab. Free and fair elections will be held. Whether the polling is 25 per cent or 30 per cent is immaterial. The people having exercised their franchise under a terrible stress, in Punjab, now, we see that we have turned the corner and it is near-normalcy in that area. I would not say it is total normalcy. Still, some elements are there. But I am fully satisfied that we have succeeded in creating the necessary atmosphere. A similar type of atmosphere needs to be created in the case of Kashmir but the policy will be, so far as the militant elements, who are being trained and specially sent for creating disruption in Jammu and Kashmir, and for that matter, in the entire country are concerned, we will have to deal very firmly with them. There cannot be any compromise with these elements. There are a large number of people who are, in fact, tired of this kind of insurgency. You will see that the ordinary people, the ordinary citizens in that area, are tired this militancy. They are not interested in offering any kind of help to them. But, sometimes, they are forced to give shelter to them, to give food to them and allow them to stay at night. They misbehave and do all kinds of things. There are two types of people: Those willing to help them and those helping them under coercion. They have no other option left with them. We have to segregate who are the people who, in fact, have been of the first type and the others who are coerced and that is why, they have to cooperate with them. There are others, who, in fact, are also cooperating with them, giving them all the assistance. Such people will have to be dealt with very severely. So my appeal to the leaders of all the political parties will be that since we are going to meet and discuss this, let us not discuss all the issues here because in the House, everybody is bound to take a certain line and thereafter say that his party line is this. We are not interested in finding out whose line is what. We are interested in finding somehow a solution to the problem. So I will request the leaders of all the political parties to kindly help us to find a solution to the problem.

Sir, certain things were stated about terrorism being on the increase in certain areas. There is no doubt that in the Doda area, there has been some kind of a confrontation between the JKLF and Hizbul Mujahideen. A large number of people were killed in exchange of fire. But thereafter, it is exactly the Pakistan's design which they are trying to execute. So it becomes our responsibility and that is why we had to increase our paramilitary forces in that area because of the situation that they wanted to create as if they have declared almost freedom from India. That sort of a situation was prevailing for some time. Our para-military forces went there and they have been able to take charge of the entire area. The demand was made about weapons which have not been given to them. Some kind of a cantonment has to

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be created. These are the issues which are on our list and certainly we are prepared to go into this aspect of the question. The question of excesses and exploitation of the situation by the Amnesty International and other human rights organisations has been raised. There is no doubt that the Sopore incident is really very bad. There is no doubt about it. Two BSF jawans were killed and the kind of retaliation which they have indulged in, is something which we cannot possibly support. That is why a judicial enquiry into the incident has been ordered. We have also asked the CBI to make a full enquiry into the matter and appropriate steps will be taken and those who have indulged in this kind of excesses, will have to be dealt with severely. There is no doubt that in every case of excess committed by either the police or the para-military forces or the army, appropriate steps are being taken. But, somehow, this disinformation campaign has regularly been going on against the Government of India. I am afraid, even some of the human rights organisations are also involved in this campaign.

SHRI SUBRAMANIAN SWAMY: How will you counter it?

SHRI S.B. CHAVAN: Yes. That is the point. The Amnesty International people met me when I had been to London. They came here specially. I invited them to come here. I said, "We are prepared to discuss everything with you. There is nothing to hide." You don't seem to know the situation obtaining in our country. We have a democracy of the finest type. We have a free press. We have a fine judiciary. Even if a postcard is sent, they take congnisance of the same and they ask you to produce whatever material they would like to have. So they discussed this at great length. I merely requested them, "Is it only the perpetrators of the crime who have the human rights or do the victims also seem to enjoy some human rights, according to you?" And ultimately they came round and said, "We were not aware of the situation, the very difficult situation that you are facing in this country. We are aware now that both in Kashmir and Punjab, the situation, in fact, is very bad and that is why we are prepared to take a second look at the kind of report that we would like to submit." They asked me whether we were prepared to give them permission to go either to Punjab or to Jammu and Kashmir. And I had to tell them, "Unless I am convinced that your reports are not biased, it is very difficult for me to allow you either to go to Punjab or to any other area. If I see the objectivity, then, of course, I have no objection. You can go to any part, and I am sure after seeing the things you yourself will be convinced, and the action taken by the Government of India and some of its Army and Para-military Forces will be known to you. But so long as I find that your reports are still motivated, not objective, till then certainly we will not allow this kind of a situation to continue." I must say that the situation in that area has been properly understood by some of the international authorities also. I was very happy when the Prime Minister of U.K. visited India and he categorically stated his stand so far as Kashmir was concerned. The President of Russia—he had also been here—was also very categorical. In come major countries they have clearly stated that Pakistan is one of the countries which are sponsoring terrorism. So these are the three major countries. And I must say that this is the success of our diplomatic effort that we have been making so far and that is why we have to bear in mind that the disinformation campaign has to be corrected, a special machinery has to be set up. In fact, we have asked the I&B Ministry to kindly create some kind of a cell and have some special programme only for Jammu and Kashmir so that we should be able to counter the disinformation campaign which is being carried on both by Pakistan and other

interested parties. I am sure that this Ministry will be able to look into it.

SHRI SUBRAMANIAN SWAMY: Who will be in charge of that?

SHRI S.B. CHAVAN: It will be the I&B Ministry which will be able to give the programme. I will have to request them and they will look into the matter.

Sir, so far as regional imbalance is concerned, we have discussed the issue of Ladakh. I had a special meeting with the Buddhists of that area. There was a kind of tension prevailing between the Muslim section and the Buddhist section. The condition-precedent, I told them, was if you were to create some kind of a cooperation amongst yourselves then it would be easy for us to find a solution to your demand of getting autonomy. I am happy to say that they have been able to end the boycott. The boycott is over. There is no more that kind of a discordant note which always used to be there. Now with the full cooperation of both the sections we would be able to find a solution to the problem. I have asked the Jammu and Kashmir Government to submit a proposal for a final solution to the problem and we are awaiting the details of that proposal. As soon as we get those details, certainly we will be able to correct the whole thing. And regarding granting to Ladakh and the Kargil area the kind of autonomy which both are demanding, we are definitely sympathetic to their demand.

About the Kashmir Valley and a number of temples which were destroyed, hon. Shri Jagmohanji was very specific. He said that he was a witness to the fact that so many temples had been destroyed. Certainly I would like to have more information from him because, according to my information, barring two or three temples, no temples have been destroyed. Independent evidence is available in this regard. The Press Council also had sent their special team to Jammu & Kashmir to find out how far it is true that so many temples had been destroyed. That is the claim made by some political party. In fact, independent authorities have also submitted reports saying that it is totally false. Actually, barring two or three temples which have been reparied, no temples have been destroyed. They were trying to find some kind of an excuse for justifying that if one place of worship is being destroyed, there is no harm because so many of them have been destroyed; so, there is no difficulty about justifying it. That was the kind of analogy they are trying to enter into. So, I can say, subject to the information which the hon. Member, Mr. Jagmohan, may produce—if he were to produce any information, certainly we will try to go into it—that my information is that barring two, the reports about all the other temples which were mentioned are not correct; it is all fabricated. That is my information. ...*(Interruptions)*...

SHRI RAM NARESH YADAV: What about the mosques? Several mosques are destroyed.

SHRI S.B. CHAVAN: There is, of course, the Ram Janambhoomi issue. It is very well known to you. I need not tell you anything about that. ...*(Interruptions)*...

SHRI SUBRAMANIAN SWAMY: In Ayodhya the Hanuman Mandir was also destroyed by them. ...*(Interruptions)*...

SHRI S.B. CHAVAN: Not only Hanuman Mandir but a number of temples were destroyed. But that is a totally different issue. I need not go into that. ...*(Interruptions)*..

SHRI SUBRAMANIAN SWAMY: "Sita ki Rasoi" was also destroyed.

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): Sakshi Gopal Mandir was also destroyed.

SHRI S.B. CHAVAN: Anyway, I don't have time now. I had specially asked the hon. Members of both the Houses to send a delegation and a delegation had gone there. Unfortunately they could not go round and meet a large

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number of people. Mr. Swaminathan was good enough to describe very vividly as to what happened. They themselves were there. So, they can understand the gravity of the situation. We would like to send another delegation to the Ladakh area. ...*(Interruptions)*...

SHRI G. SWAMINATHAN: Sir, in this connection I would like to say this. When we went there we were informed that we would go not only to the Valley but we would go to ladakh and Jammu also so that we could understand the whole gamut of the proposition. We went to the Valley but we did not go to the other two areas. That is one thing. Another is that you seem to have written a letter to all the political parties for consultation regarding Jammu & Kashmir. But the AIADMK has not been receiving any such invitation for consultation. We from the South are also interested in the problem. So, we may also be included in the consultation by all the political parties.

SHRI S.B. CHAVAN: I will see to it that you also get an invitation and Mr. Subramanian Swamy also so that I may have the benefit of advice from both of you. ...*(Interruptions)*...

SHRI SUBRAMANIAN SWAMY: You have not said anything about the Kashmiri Pandits.

SHRI S.B. CHAVAN: Kashimiri Pundits, in fact, are very unfortunate people. Almost 3,000 of them left the area. Some of them are in Jammu and some of them have even come to Delhi. In fact, I have made an offer. We are prepared to give them a special zone, special protection, in that area.

SHRI SUBRAMANIAN SWAMY: In the Valley?

SHRI S.B. CHAVAN: Yes, in the Valley. Let them go back. A special zone will be created for them and we will give them full protection. But instead of helping them there I would prefer them to go back to whatever area they want and we will try to give them all the help that they want. But if they are to run away from that area then, of course, I cannot help it.

SHRI SUBRAMANIAN SWAMY: There is no question of their running away. It is not fair to say that the Kashmiri Pandits ran way. They want protection. If you are ready to give them protection they will go back. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): The hon. Minister has answered all the points raised by you. ...*(Interruptions)*... Sharmaji, take your seat.

SHRI S.B. CHAVAN: There is only one more point and I have done. Hon. Mufti Mohd. Sayeed had asked me about the total arms which were seized from this area. I would like to give that information.

Weapons recovered during 1988-89 and 1991-92 are: Rocket launchers-455, Machine Guns-474, Ak 47 Rifles-7846, Sniper Rifles-17. I don't want to give the rest of the figures because it will not be proper to give all the details. I would again like to mention specially about the special assistance which has been given to Jammu and Kashmir area. In total, we have sanctioned Rs. 885.33 crores for this area. We have sanctioned Rs. 301 crores according to the Rangarajan Committee Report, Rs. 291.21 crores according to the inter-ministerial group and Rs. 293 crores recommended at the Cabinet Secretary level. I am aware of the fact that the tourism industry which happens to be the main industry in that area has suffered very badly. Every effort will have to be made to see that people gain a kind of confidence so that they can again restart their industry in that area. Whatever help is necessary, details will have to be gone into. I cannot, at this stage, say anything. I must thank all the hon. Members for participating in the debate.

SHRI SATYA PRAKASH MALAVIYA: Sir, I request the hon.

Home Minister to throw some light on the functioning of the Advisory Council.

SHRI S.B. CHAVAN: The Advisory Council is already there at the State level as well as at the district level. But it is only a question of going round, meeting the people getting the feed-back and trying to find solutions to their problems. In these difficult circumstances, a very few political parties have their presence there. Practically, no political party has any great presence felt in that area. I will request the leaders of all the political parties to stand up in a big way and see that conditions are created in which we should be able to hold elections in that area.

SHRI M. A. BABY: The hon. Prime Minister is here. Being member of the Parliamentary Delegation which visited Kashmir, we had a very fruitful discussion with the Prime Minister on our return and many issues were discussed. I am happy that many steps have been taken following that exercise. But at that point of time we also suggested that it would be of great help if the Prime Minister himself visited Kashmir and the hon. Prime Minister responded positively. I would like to know whether this is taken up...

THE PRIME MINISTER (SHRI P. V. NARASIMHA RAO): Your suggestion has been accepted with thanks.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Now, there is one amendment by Shri Satya Prakash Malaviya. Mr. Malaviya, are you withdrawing it?

SHRI SATYA PRAKASH MALAVIYA: I am pressing it.

THE VICE-CHAIRMAN (SHRI V. NARAYANSWAMY): The question is:

> That in the said Resolution *for* the words "six months", the words "three months" be *substituted*.

*The Question was put and the motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. NARAYANSWAMY): Now the question is:

> That this House approves the continuance in force of the Proclamation issued by the President on the 18th July, 1990, under article 356 of the Constitution, in relation to the State of Jammu and Kashmir, for a further period of six months with effect from the 3rd March, 1993.

*The motion was adopted.*

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[THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN) *in the Chair.*]

## MOTION OF THANKS ON THE PRESIDENT'S ADDRESS

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): We will now take up the Motion of Thanks on the President's Address. Mr. Narayanasamy.

SHRI V. NARAYANASAMY (Pondicherry): Madam, I beg to move that an Address be presented to the President in the following terms:—

> "That the Members of the Rajya Sabha assembled in this Session are deeply grateful to the President for the Address which he has been pleased to deliver to both Houses of Parliament assembled together on the 22nd February, 1992."

Madam Vice-Chairman, the hon. President has been addressing both the Houses of Parliament and this practice has been continued since the British Parliamentary system was introduced in this country. The framers of our Constitution deliberately retained this provision as it gives a bird's eye view of the achievements of the Government. It also highlights the programme of action for the ensuing year. It is neither a policy statement nor a progress report. It gives in detail the achievements of the Government and also what the Government plans to do in the year